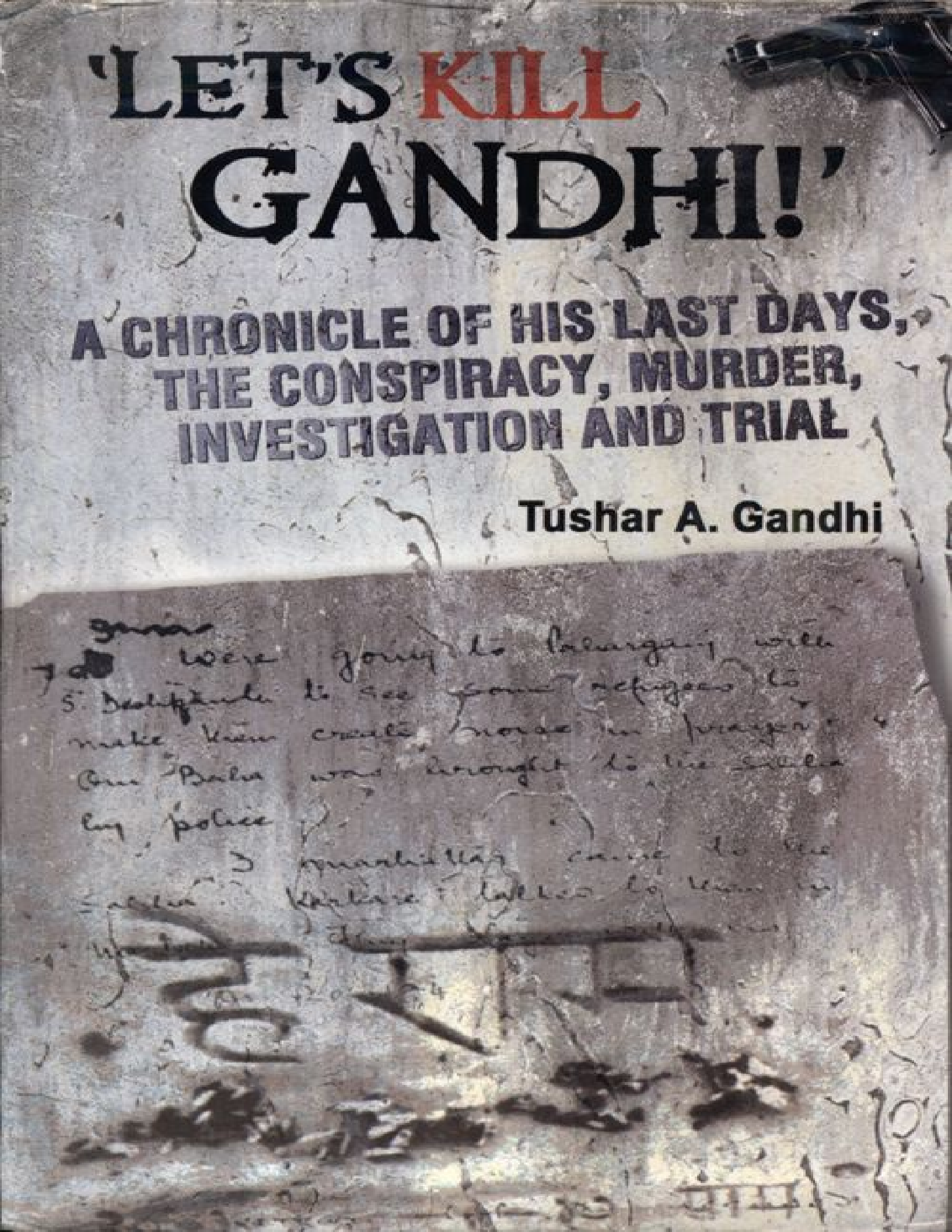
'LET'S KILL GANDHI!'

A CHRONICLE OF HIS LAST DAYS, THE CONSPIRACY, MURDER, INVESTIGATION AND TRIAL

Tushar A. Gandhi



ON 30 JANUARY 1948 MAHATMA GANDHI, FATHER OF A NEWLY LIBERATED INDIAN NATION, WAS MURDERED BY A HINDU EXTREMIST. Since then, many lies have been passed off as truths, half-truths have been mixed with true incidents and passed off as whole truths.

'Gandhi was responsible for the partition'; 'Gandhi sheltered Muslims and abandoned Hindus'; 'Killing Gandhi was the only way to save India'; these were, and even today are, some of the statements propagated by Hindu extremists and followers of Godse to justify Gandhi's murder.

This book has been written to put the facts straight. Written by Gandhi's great-grandson Tushar A. Gandhi, '*Let's Kill Gandhi!*' deals with facts gleaned from a lot of verbal history, from archival material, from the records of the murder trial and investigations, from books written by the defence lawyers and judges, from newspaper reports and from what Tushar grew up hearing in the family.

Nowhere in the history of political murders has such a nexus of human errors, procedural foul-ups and sheer apathy colluded to allow a bunch of bungling amateurs to so easily succeed. This book is a chronicle of a conspiracy that goes beyond Nathuram Godse, Gandhi's murderer.

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A Chronicle of his Last Days, the Conspiracy, Murder, Investigation and Trial

Tushar A. Gandhi

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Dedicated to the victims of violence
and my brother Kush, who was one

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Such a one never dies. 'He lives, he wakes
'tis Death is dead not he'

Unto each man his handiwork, unto each his crown,
The just Fate gives;

Whoso takes the world's life on him and his own lays down,
He, dying so, lives.

Whoso bears the whole heaviness of the wronged world's weight
And puts it by,

It is well with him suffering, though he face man's fate;
How should he die?

Seeing death has no part in him any more, no power
Upon his head;

He has bought his eternity with a little hour,
And is not dead.

For an hour if ye look for him, he is no more found,
For one hour's space;

Then ye lift up your eyes to him and behold him crowned,
A deathless face.

On the mountains of memory, by the world's wellsprings,
In all men's eyes,

Where the light of the life of him is on all past things,
Death only dies.

– ALGERNON C. SWINBURNE
from *Super Flumina Babylonis*

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A big thank you to you my reader. I am indebted.
Namohstute. Shukriya, karam, meherbani.

Tushar A. Gandhi

FOREWORD

On 30 January 1948, Mahatma Gandhi, father of the newly liberated Indian nation was murdered by a Hindu fanatic.

The world remembers Gandhi and pays homage to him on this day but the story of his murder has been forgotten. Every 30 January the heads of the Indian government visit Raj Ghat and lay wreaths at his samadhi. A siren blares at 11 am, reminding the people of India that Gandhi, the apostle of peace was murdered on that day. But his sacrifices have been forgotten. India today is hurtling down that very path, which led to its division in 1947. If this hate and destruction is not arrested, we will cease to exist as a nation. He is no longer in our midst to save us; his martyrdom will have been in vain.

Since 30 January 1948, various groups have circulated their own, and often unfounded, theories about his murder. Many lies have been passed off as truths; half-truths have been intermingled with true incidents and passed off as whole truths. Nathuram Godse, the murderer's act has been glorified by saying that he did it from a sense of outrage at Gandhi's pro-Pakistani stance to the detriment of Hindus. 'Mahatma Gandhi was responsible for Partition'; 'Mahatma Gandhi was sheltering Muslims and had abandoned Hindus'; 'If Mahatma Gandhi was allowed to live he would harm the cause of the Hindu Rashtra', 'Mahatma Gandhi forced the Indian Government to pay Pakistan Rs. 55 crores'; 'Mahatma Gandhi turned a blind eye to the sufferings of the Hindu refugees and pampered the Muslims who had stayed back at the time of the Partition'; 'Killing Gandhiji was the only way to save Bharatmata', these were, and even today are, some of the lies propagated by the followers of Godse and the Hindu far-Right to justify his murder.

But are they true? A generation of Indians has grown up believing them to be true. The silence of the Gandhians, who always turned the other cheek whenever Gandhi was attacked, has strengthened this belief further. Does anyone know that there were four recorded attempts on Gandhi's life before the last two on the 20th and 30 of January 1948? Four of the five failed attempts were made at a time when Pakistan was not even on the agenda of the Muslim League. All the four attacks were made by the extreme Right-wing upper caste Hindus of Poona; three of the four attempts on his life

were made by the Narayan Apte-Godse Gang, and Nathuram was caught in two of those attempts.

On 20 January a crude bomb was exploded by a Punjabi refugee, Madanlal Pahwa, during the evening prayer meeting at Birla House. After he was arrested, Madanlal confessed to being a part of a gang conspiring to kill Gandhi. He confessed that the leaders of the gang were from Poona and that one of them was the editor and publisher of *Hindu Rashtra* and *Agranee*, Marathi language periodicals published and printed by Godse and Apte. Madanlal led the police to room 40, at Marina Hotel, in Delhi, where the gang leaders had stayed before the failed attempt on the 20th. The police found unclaimed laundry from the room, which bore the initials N.V.G., Nathuram Vinayak Godse. They also found a copy of the then-not-yet released press statement of the secretary of the Delhi Hindu Mahasabha.

After the failed attempt on the 20th, Morarji Desai, the Home minister of the Bombay province, was given information by Prof. J.C. Jain, a professor of Hindi at Ruia College, Bombay, to whom Madanlal Kashmirilal Pahwa had boasted about being a part of a gang who had set out to kill Gandhi in Delhi. Desai ignored Jain's warning but casually mentioned it to Sardar Patel, the Union Home minister, when Desai met him at Ahmedabad. Patel confessed to having information about a conspiracy, but dismissed Jain's story as being too far fetched.

Even with all this information available to them, the police were not able to track down the culprits or establish their identities in time. Ten days later Nathuram Godse, Narayan Apte and Vishnu Karkare met at Delhi railway station's retiring room and proceeded to Birla House. They mingled freely with the crowd who had come to attend the evening prayer meeting. At seventeen minutes past five in the evening on Friday, 30 January 1948, Godse blocked Gandhi's path and pumped three bullets from a 9 mm Beretta pistol into his chest from point blank range. Gandhi collapsed with the words *'He Ram*' on his lips.

Godse finally succeeded in doing what he had failed to do on three previous occasions and may be several more. What was the police doing? Were they negligent? Complacent? Or, was it a case of turning a convenient blind eye? The Delhi police had a signed confession from Madanlal which said that the gang was fanatical enough to try again, *'Woh phir ayega*,' (He will come back) was often repeated by him during his interrogation. Both the Poona and Bombay police were aware of *Hindu Rashtra* and *Agranee*,

its staff, and the people behind it. Surprisingly the Poona police was never informed or asked for help. A senior officer of the Bombay police was given the report and asked to take it to Bombay post haste. The officer decided to travel by train via Allahabad, breaking journey there, instead of taking a plane or a direct route to Bombay. By the time the officer reached Bombay, Nathuram Godse, Narayan Apte and Vishnu Karkare had already left and were on their way back to Delhi. When questioned later about his mode of travel, the assistant commissioner replied that he suffered from a fear of flying. His explanation was accepted.

One of the crucial factors in the success of the murder plot was that the police—who were hampered by Gandhi's decision not to allow additional security and frisking of his visitors—did not think of placing constables or inspectors from Bombay, Poona or Ahmednagar at Birla House, who would have been able to identify Godse, Apte and Karkare, known troublemakers with police records in their hometowns. After the murder, Anna Gadgil the veteran Congressman from Poona, was the first person to identify Godse.

The Congress government and at least some of the members of the Cabinet were fed up of the interventions of the meddlesome old man. To them, a martyred Mahatma would be easier to live with. According to a secret report submitted to Home minister Sardar Patel, many in the police force and many bureaucrats were secret members of the Rashtriya Swayamsevak Sangh (RSS) and the Hindu Mahasabha, and were actively supporting and promoting the ideology of the Hindu extremist organisations. The gang members were storm troopers of these extremist organisations. Could there have been a tacit cooperation between the two? The way the investigation was carried out, and the lackadaisical approach of the police in trying to protect Gandhi's life, leads one to believe that the investigation was meant to hide more than it was meant to reveal. The measures taken by the police between 20th and 30th January 1948 were more to ensure the smooth progress of the murderers, than to try and prevent his murder.

Gandhi had succeeded in driving out the British. Unfortunately, his puritanism was difficult to follow for his political heirs. To them he was a patriarch who had outlived his usefulness and was now proving to be a nuisance. He had suggested that the Congress be disbanded. He had threatened to go to Pakistan to reverse the process of Partition. He forced them to cancel politically motivated short-term measures in his pursuit of

establishing an ideal society. He threatened to launch a social reform movement. He opposed the move to rapidly industrialise India preferring the slow gramudyog model. He wanted the ministers to live as servants of the people and to convert their opulent bungalows into shelters for the homeless refugees. He had asked Mountbatten to vacate the Viceregal Palace and convert it into a hospital for refugees.

How could the political heirs of Gandhi cope with such an impractical old man? If somehow he could be removed from the scene, where was the harm? There was anger against him from certain quarters, why not fan that anger and let it conveniently consume the apostle of peace. The RSS and Hindu Mahasabha were angry with him as he had foiled their plan of a clean partition of the country and a Muslim-free India. When the transfer of populations was taking place these organisations tried their best to ensure a total exchange of population from at least the northern parts of India. Once this was done, it would be easy to drive them out from the rest of India and then a truly Hindu nation would be formed. The Muslim League had already demonstrated this method by efficiently terrorising the Hindu population of West Punjab, Sind, North-West Frontier Provinces and East Bengal into leaving or being killed. But Gandhi, with his nonviolent methods ensured that this did not happen in India. The Muslims, who were on the verge of fleeing, felt reassured by his efforts. The angry Hindu extremists felt that since Pakistan had been created Muslims had lost the right to remain in India and blamed Gandhi for not letting them achieve this goal. Many Congress politicians too, felt the same way. Very cleverly, the RSS and Hindu Mahasabha fanatics camouflaged their real anger under the guise of outrage about the vivisection of their motherland and the slaughter of their Hindu brethren in East and West Pakistan and conveniently blamed Gandhi for this. The Congress leaders were happy that someone else was being crucified for their blunders.

Brahmins dominated both the RSS and Hindu Mahasabha and were angry with Gandhi for having started the movement for a classless, casteless Indian society. The resurgent lower castes liberated by Gandhi, newly acquainted with their democratic rights, were threatening the dominance of the upper castes and in particular the Brahmins, who under the British, had monopolised the bureaucracy and judiciary. Pre-1947, there was only one Brahmin kingdom in India—the Maratha Empire of the Peshvas of Poona in Maharashtra. The Poona Brahmins always assumed

that the day the British left India the reins of the land would fall back into their hands. This dream of the descendants of the Peshvas was shattered by Gandhi.

The first attempt on Gandhi's life took place in Poona when a hand grenade was thrown at his car in 1934. This was at a time when Pakistan, and thereby the giving of Rs. 55 crores to Pakistan, was not even envisioned. RSS and Hindu Mahasabha members used to paste Gandhi's photographs on the soles of their footwear as an insult to him. His photographs were used as targets in camps organised by the Hindu extremist organisations to train their cadres. These were the people who helped Godse and Apte in planning the murder, provided them with support, funds and equipment; they were the ones who celebrated his murder by distributing sweets and bursting crackers. They refer to the murder as 'vadh', a Sanskrit word used to describe the slaying of a demon, as when the forces of good kill the forces of evil, the killing of the rakshasas in Hindu mythology.

The trial of the murderers was conducted at a specially constituted court at Red Fort in New Delhi. The prosecution was lackadaisical; it felt that the trial was prejudged. Savarkar had to be exonerated at any cost, the rest were pre-condemned. The defence was given a free hand in expounding their vicious theories of Hindu-Muslim hatred. The most surprising aspect was that Godse was allowed to give vent to his anger in court twice; once at the Red Fort and again during the appeal in the Punjab high court. It was only after his statement was recorded by the court that the Indian government realised the damage that statement would cause to the already fragile unity of India. Then, in a knee-jerk reaction, they banned it and provided the Hindu extremists with a propaganda tool. Godse's statement *May It Please Your Honour* was finally freed of the ban by the high court, but not before the Hindu far-Right had used it in its underground propaganda to build up a huge force of fanatics and sympathisers.

The statement is definitely not written by Godse who never displayed such a profound grasp over the language. The document has been very cleverly authored to emotionally exploit and influence even the most liberal of minds. V.D. Savarkar, a co-conspirator, had complete mastery over the language. He was a firebrand writer and orator beyond compare. Godse had ample access to him during their incarceration and trial. The statement attributed to Godse smacks of the penmanship of Savarkar.

It is now almost sixty years since Gandhi's murder, yet many facts remain unknown. The partition of India and the slaughter of humanity in its aftermath are still very volatile and sensitive issues. The Hindu extremists have very successfully spread their version of Gandhi's role in the Partition and its aftermath. The Gandhians and Congressmen, by silence on the part of the former and complacence on the part of the latter, have reinforced the lies of the Godseites.

'Let's Kill Gandhi!' deals with facts gleaned from verbal history, from books earlier published, records of the murder trial and investigations, books written by the defence lawyers and judges, newspaper reports and from what I grew up hearing in the family and from witnessing the bewilderment of Gandhi's loved ones.

During my childhood I had an experience that left a very distinct impression on me. I must have been barely ten or twelve when my grandmother, Sushilabehn, came to stay with us from South Africa. She expressed a desire to meet Gopal Godse, Nathuram's younger brother and a co-accused in the murder. He had just finished serving a life sentence for his part in the murder of my great-grandfather. The entire family drove to Poona. For us, Poona meant going to the samadhi of Kasturba at the Aga Khan Palace and then to the samadhi of Mahadevkaka, Mahadev Desai, Gandhi's secretary and close associate, who died while incarcerated at the Aga Khan Palace. Then we went to the home of my great-grandfather's killers. For Gopal Godse, our action was like an acceptance of their deed by the family of their victim. He manipulated the episode to imply that we had endorsed that dastardly deed and put our stamp of approval on their act. To me it was all very confusing. I was too young to understand that my grandmother was trying to convey that the family had forgiven the Godses. I still can't understand why we needed to do that! How can one forgive someone who isn't even repentant about their deed? I can never forgive them, nor can I forgive the philosophy that created Nathuram Godse, the murderer.

I had another opportunity to interact with Gopal Godse—now a frail old man, still as rabid and as adept at passing off blatant lies as truth. We were on a talk show hosted by my dear friend the late Priya Tendulkar. After the shooting was over Gopal Godse tried to rise unsteadily to his feet. When I saw the old man fumbling, I extended a hand to steady him and helped him disconnect the lapel mike. Press photographers caught this moment and the

photograph was splashed on the pages of national papers. My act had been one of common courtesy for an old man. I am certain Gopal flaunted the photograph as a proof of my admiration of him and approval of his deed.

On 30 January 1997,1 immersed an urn containing the ashes from my great-grandfather's funeral pyre. This was the closest I have been to him physically. After performing the ritual in Allahabad, I went to the Gandhi National Museum at Raj Ghat in Delhi where the bloodstained clothes worn by Gandhi are kept. For the first time I saw and handled the 9 mm Beretta automatic gun Godse had used. I felt extreme rage inside me; at that moment I could have shot a sanghi. This book is a result of that rage that has been bottled up in me for far too long. My great-grandfather said: 'Anger is an acid which corrodes the vessel in which it is stored'.

India is today going through a similar phase as it was during the mid 1940s. The democratic process has been made a mockery of by opportunistic and exploitative politicians who have fragmented the electorate on the basis of castes and sub castes. The Hindu extremist elements, aided by the acts of exploitative Muslim clergy and opportunistic political leadership amongst the Muslims, have become powerful and have re-launched their campaign to rid India of its Muslims, or to subjugate them into living as serfs in the country of their birth. There is a stream of Hindu supremacists who want to restore a Brahmin dominated society as it was before Gandhi and Ambedkar.

We do not want another holocaust. We do not want caste supremacy; we do not want another war between religions. Racial profiling is the first step towards ethnic cleansing; we cannot live through the ages of Hitler and Milosevic again. The world cannot survive at the mercy of a bullying super power. We must fulfil Gandhi's unfulfilled dream of a reunited India, Pakistan and Bangladesh. India does not need the RSS, the Hindu Mahasabha's version of a Hindu rashtra. We do not want another partition, neither of hearts nor of territory.

This book puts the facts straight. Lest we forget.

Tushar A. Gandhi

BOOK 1

1

'HÈ RAM':
ANOTHER CRUCIFIXION

'It shows how dangerous it is to be too good.'

— GEORGE BERNARD SHAW,
reacting to Mahatma Gandhi's murder

It was 4.55 pm on Friday, 30 January 1948. Gandhi was going to be late for the evening prayers. For him, being late was as close to committing a sin.

Abha was worried, but the atmosphere in the room was electric. Gandhi was engrossed in a conversation with Sardar Patel. The meeting had begun at 4.00 pm; Patel had come accompanied by his daughter Manibehn. The intense dialogue between the mentor and his protégé was on the growing rift between Sardar Patel and Pandit Nehru and its effect on the party and administration. The dialogue went on with no signs of it coming to an end. To catch Gandhi's attention, Abha put his evening meal in front of him, comprising some cooked vegetables, twelve ounces of goat's milk, some carrot juice and a decoction of ginger, sour lime and aloe. But today, even this was ignored by him.

'Today he will be late for prayers and he will be very angry with himself', Abha thought to herself. She could do nothing to divert his attention, as she was overawed into silence by the sheer intensity of the discussion and the charisma of the two leaders. Finally, she mustered up courage and held up the clock in front of Gandhi so that he would see the time, but even this failed to draw his attention. Seeing her predicament Manibehn intervened.

'I must now tear myself away,' Gandhi said to Patel. After partaking of the frugal meal, he rose to get ready for the evening prayers. It was 5.10 pm. People had already started gathering on the rear garden lawns of Birla House.

As he walked accompanied by his 'walking sticks' Abha and Manu, an attendant informed him that two brothers from Kathiawad had asked for an appointment. 'Tell them to come after the prayers,' Gandhi replied. 'I shall

see them—if I am alive.' This was the second time he had mentioned death that day. It was thirteen minutes past five.

Gandhi walked towards the prayer ground, his hands resting on the shoulders of Abha and Manu. He laughed and exchanged jokes with them. Gurbachan Singh, a Sikh attendant who normally walked a few paces ahead of Gandhi, clearing a path for him through the crowd, was held up with some work and was walking a dozen steps behind Gandhi.

Referring to the raw carrot meal that Abha had served him in the afternoon, he teased her saying that she had served him cattle fare.

Abha replied, 'Ba [Kasturba] used to call it horse fare!'

Gandhi then said, 'Is it not grand of me to relish what no one else would care for?'

'Bapu, your watch feels neglected,' Manu joked, 'you ignored it.'

'Why should I, since you are my time-keepers?' he retorted.

'But you would not look at your time-keepers either,' Manu said and Gandhi broke out into laughter.

As he cleared the footsteps leading to the terraced garden where the prayers were held, Gandhi remarked: 'I am late by fifteen minutes. I hate being late. I like to be at the prayer meeting punctually at the stroke of five.' It was 5.15 pm.

All conversation stopped; there was a tacit compact between Gandhi and his 'walking sticks', that as soon as they entered the prayer grounds, all jokes and conversation would end. Nothing but thoughts of prayers must fill their minds.

The crowds parted, forming a passage through which Gandhi walked towards the dais, occasionally greeting people. He took his hands off the shoulders of the two girls and walked on with his hands folded in greeting. He had hardly taken two or three steps towards the dais, when a young man dressed in a blue-grey shirt elbowed his way through the crowd and blocked his path.

The young man folded his hands and said 'Namaste Bapu.' Manu tried to get the young man to let them pass; she said, 'Brother, Bapu is already late for prayers ...' before she could complete her sentence, the young man pushed her out of his way. The rosary and spitoon that Manu was carrying fell from her hands and she tumbled to the ground. Before anybody in the tightly packed crowd realised what was happening, the man whipped out a snub-nosed automatic and fired thrice in quick succession at Gandhi.

The bullets pierced Gandhi's chest, two going through his seventy-eight-year-old frail body, one remaining lodged in his flesh. The killer was so close to him that one of the ejected shells was later found in the folds of Gandhi's clothes. The first shot entered his upper abdomen on the right, two and a half inches above the navel and three and a half inches to the right of the mid-line. The second penetrated the seventh intercostal space one inch on the right of the mid-line, and the third on the right side of the chest, one inch above the nipple and four inches from the mid-line. The first and the second shots passed right through and came out of Gandhi's back; the third remained embedded in his lung. As the first shot hit him, his foot, which was in mid stride, came down. He was still on his feet as the second and third bullets hit. *'R...a...m,'* Gandhi sighed, and then, the father of a fledgeling nation, fell.

As life ebbed out, his face reflected inner peace. With his last few breaths, the devout Hindu kept chanting the name, Rambha, his childhood maid, had taught him, *'Ram .... R..a...m.....R....a.....m .....R.....a...'* The time was seventeen minutes past five on the evening of Friday, 30 January 1948. Mahatma Gandhi, Bapu, the Father of the Nation, born Mohandas Karamchand Gandhi, was no more.

The crowd was stunned. They had heard three shots fired, they saw their 'Bapu' collapse and they saw a man holding a gun. There was a murmur, a few voices rose in shock and anger, there were a few muffled sobs, rage was building up, and the situation was threatening to turn volatile. A gardener, Raghu, from the Birla household staff, rushed up to the gunman and hit him on the back of his head with the blunt side of his sickle, and then grabbed him from behind. A shoulder flap of the killer's shirt was torn off. Passions threatened to run amok as volunteers carried the limp and bleeding Gandhi into the room he had just exited. They tried to administer a few drops of honey mixed with warm water, but it remained unswallowed. Gandhi was no more.

On the lawns the situation was turning ugly; the enraged mob was threatening to lynch the killer, 'Mia lagta hai, Musalman ne Bapu ko mar diya,' 'He looks like a Muslim. A Muslim has killed Bapu,' someone screamed. The crowd immediately took up the chant 'A Muslim has killed Bapu, kill Muslims.' Pyarelal Nayyar, Gandhi's personal secretary since 1942, rushed out on to the lawn and took control of the situation. 'Calm down, we are Bapu's children, we will not seek revenge,' he pacified the

crowds. Volunteers took hold of the killer, who did not divulge his identity or his religion, knowing that a rumour was spreading that he was a Muslim. The killer was taken to a room on the ground floor of Birla House and detained there.

Dr. B.P. Bhargava was urgently summoned to attend to Gandhi. His regular medical caretaker, the diminutive Sushila Nayyar, younger sister of Pyarelal, was away in West Pakistan. Patel had just reached home when he was informed about the tragedy; he immediately left for there. He was the first political leader to reach. In his grief, he picked up the limp wrist of his leader, with whom he had just been talking an hour ago; his face suddenly lit up with hope, he thought he could feel a faint pulse. Dr. Bhargava felt for a pulse and checked for eye reflexes; there were none. He looked up at Patel and mumbled, 'Dead for ten minutes.'

Abha and Manu burst into tears, but soon everybody gathered their composure and started chanting Ram naam. Nehru arrived and rushed to Gandhi's side. He clutched at Gandhi's bloodied clothes and sobbed uncontrollably. Patel consoled him, their differences seeming to melt away in the face of the tragedy. Speaking to Pyarelal a little later, Patel commented, 'Others can weep and find relief from their grief in tears, I cannot do that.'

Lord Mountbatten, who had returned from Madras that very day, was informed about the tragedy and he rushed to Birla House. As he was going in he heard someone say, 'A Muslim has killed Bapu, kill Muslims.' Instinctively Mountbatten turned around and shouted, 'You fool, everybody knows he is a Hindu.' Later, when questioned by an aide as to how he was sure it wasn't a Muslim, Mountbatten replied, 'I pray it is not a Muslim. If a Muslim has killed Gandhi, India will witness carnage such as I cannot bring myself to imagine.'

Mountbatten realised that he would have to take control. He took Patel and Nehru aside and requested them to calm down. Patel told Nehru what Gandhi had asked of him; they both embraced each other and vowed to work unitedly.

The police arrived and took charge of the situation. At the spot where Gandhi had fallen, a young boy was handing out fistfuls of the blood-soaked soil. Gandhi's glasses and slippers—which had slipped off when he fell—were never found. The police cordoned off Birla House, vacated the garden and started searching for clues. N.V. 'Anna' Gadgil, the veteran

Congressman from Poona, looked inside the room where the murderer was being held and recognised him. As soon as Anna's eyes fell on him, he said in Marathi 'Are Nathya, he tu kay kela?' 'Nathya [as Nathuram was locally known to Poonaites] what have you done?' The worst nightmare of the leaders of India was over: it was now established that Gandhi's killer was a Hindu, in fact a Hindu Brahmin from Poona. Godse was taken into custody, and the first thing he demanded was medical aid for a minor wound on the back of his head and a few abrasions. After first aid he was taken to the Tughlaq Road Police Station, where the First Information Report of Gandhi's murder was recorded.

Gandhi's youngest son Devdas and his family were the first of the immediate family to reach Birla House. Devdas tenderly took the lifeless hand of his father and caressed it as tears rolled down his face. For his family and that of his siblings—Harilal, Manilal and Ramdas—there would be no private mourning. Gandhi belonged to the nation in death as in life.

Mountbatten, Nehru and Patel discussed the funeral arrangements in the next room. Mountbatten's suggestion was to embalm Gandhi's body and preserve it like Lenin's in Red Square. Pyarelal and Devdas vehemently opposed the suggestion. 'Bapu would not want it. What is more, he would want his funeral to take place at the earliest,' Devdas said firmly. It was therefore decided that the funeral would take place the next evening at a spot on the banks of the river Yamuna. The armed forces would be in charge and Mountbatten would oversee the arrangements. Devdas, with the help of other male members, took the body for bathing. While removing the blood-stained clothes they recovered one of the bullets that had gone through Gandhi's body, and a spent shell in the folds of the cloth draped over his upper body. The three entry wounds were small and had caused less bleeding; two bullets which had passed through his body had torn out much larger chunks of flesh. After bathing the body, the doctor closed the bullet wounds; then Gandhi's body was draped in a fresh set of clothes.

The doctor's report about the cause of death was, 'Death ... caused by shock and internal haemorrhage due to ... injuries inflicted ... by bullets fired from a pistol'. In the meantime, a mixture of cow dung, mud and water was spread on the floor to form a square on which khadi was spread. As the body was brought out, a shawl was spread on it and drawn up to the neck, leaving only the face uncovered. Devdas folded back the shawl to leave the

chest bare; he said, 'The bullet wounds on Bapu's chest are medals of gallantry awarded to a non-violent warrior, the world must see them.'

All India Radio's six o'clock news bulletin began with the announcement, 'A Hindu Brahmin shot Mahatma Gandhi, the father of the nation, this evening. Gandhiji is no more.' The nation came to a halt as the news rode the airwaves to every corner of the world. While the nation mourned, there were some who rejoiced by distributing sweets. The shakhas of the RSS and Hindu Mahasabha bore a festive look. Lamps were lit, flowers showered and firecrackers burst. What the sanghis had failed to do for the past decade had been done by one of their cadre. Many of the branches of the RSS and Hindu Mahasabha had been informed in advance and were prepared to celebrate. In Alwar a handbill proclaiming Gandhi's murder was circulated five hours before it actually happened.

Meanwhile, the roads leading to Birla House on Albuquerque Road were getting choked. VIPs, Cabinet ministers, Congress leaders, diplomats, senior bureaucrats and others vied for space with the common people for a last glimpse of Gandhi. The police were finding it difficult to control the crowds as well as carry out investigations. Senior officers requested Devdas and Pyarelal to shift the body to a place where people could see it from the road. The Birla family was consulted and it was decided that the body would be kept on an elevated platform, on the first floor terrace, facing the road. The makeshift platform was slightly tilted so that the body would be seen by all. When Gandhi's body was moved, a hush fell over the crowd. The sight of Gandhi had calmed them down. That night Nehru addressed the nation from the studios of All India Radio. In a voice choking with grief and overwhelming sadness, he said, 'Friends ... the light has gone out of our lives and there is darkness everywhere and I do not quite know what to tell you and how to say it. Our beloved leader, Bapu as we called him, the Father of the Nation is no more .... We will not see him again as we have for these many years. We will not run to him for advice and seek solace from him. The light has gone out, I said, and yet I was wrong. For the light that shone in this country was no ordinary light. The light that has illuminated this country for these many years will illuminate this country for many more years and a thousand years later that light will still be seen in this country and the world will see it and it will give solace to innumerable hearts. For that light represented the living truth, and the eternal man was

with us with his eternal truth reminding us of the right path, drawing us from error, taking this ancient country to freedom.'

At midnight, the body was brought down from the terrace; it was bathed and anointed with sandalwood paste and then placed in the centre of the room covered with flowers. Next morning, at 11.30 am the bier, with Gandhi's body wrapped in the tricolour, was placed on a weapon-carrier. Dr. Sushila Nayyar arrived just as the funeral procession was about to start. She bid a tearful adieu to him, whose medical wellbeing had been her responsibility during the past few years. The cortege started with Devdas and his elder brother Ramdas, who had rushed from Nagpur in Central India. Nehru, Patel and other Cabinet ministers stood around the body on the gun carriage. Others walked alongside.

The weapon-carrier was drawn by two hundred soldiers from the three wings of the armed forces. Three aircraft of the Indian Air Force passed over the cortege and showered flowers. If the people passing by Birla House had resembled a river in spate, the people lining the route resembled an ocean of humanity. By a rough estimate the number of people accompanying the funeral was more than a million. People lined the route, stood on balconies and terraces of buildings. Others climbed onto trees and some daredevils took refuge on top of light and telephone poles. Many climbed on to the War Memorial, others clung to the pillars of the canopy of King George V's statue. Passing through the roads of New Delhi the procession reached the cremation ground on the banks of the river Yamuna at 4.20 pm. People had started gathering there since morning. Somewhere in that crowd, Gandhi's eldest son Harilal*, a derelict, tried to get close to his father's body. Being the eldest son it was his duty to perform the last rites, but dressed as he was in rags, no one was going to allow him to come anywhere near the funeral pyre. That privilege was for the elite. In death, Gandhi had been put beyond the reach of the common people with whom he had been one throughout his life.

At 4.30 pm the body was placed on a funeral pyre made of 600 kilos of sandalwood, 160 kilos of ghee, 80 kilos of incense, 40 kilos of coconuts and 15 kilos of camphor. It was ironic that the voluntarily impoverished Gandhi was being accorded a funeral befitting a king. Finally, the tricolour was removed; Devdas sprinkled water from the Ganges on the body, a final act of purification, and then placed sandalwood logs on it. The pyre was lit by his elder brother Ramdas, while the eldest son Harilal watched from afar.

Gandhi's second son Manilal lived in South Africa and was unable to attend the funeral.

The flames grew in intensity and so did the chant 'Mahatma Gandhi *amar ho gaye'*, 'Mahatma Gandhi has become immortal'. Some people sat down on an all-night vigil, while the entourage returned to Birla House. At last Harilal got a chance to approach his father's funeral pyre. He had fought with Gandhi throughout his adult life and yet he felt compelled to grieve at his funeral pyre.

It was after twenty-four hours of Gandhi's murder that people began to ask questions. How could this happen? Who could have done such a heinous deed? Why Gandhi? Could this not have been prevented? What were the police doing? But the events that led to Gandhi's murder had been set in motion long back. The first documented attempt on his life, in India, had occurred as far back as in 1934, in Poona, and then there were four more, all of which had some connection with Poona. In three of them, the involvement of the Apte-Godse gang, his eventual killers, had been clearly established. The last unsuccessful attempt had taken place at Birla House just ten days before, on 20 January 1948.

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* Harilal had been very close to his father in South Africa. During the Satyagraha for civil rights in that country, he had come to be known as 'Chota Gandhi', 'Gandhi Junior'. He was the first to use fasting as a form of protest there when he forced his jailors to treat him in a humanitarian way. But then he fought with his father and left him. One of the issues between them was Harilal's desire to study further while Gandhi preferred for him to become an activist like him. Another issue was Harilal's marriage to Gulab; Gandhi felt both were too young to get married. Harilal's several attempts to establish a business failed. He lost his wife Gulab in the influenza epidemic and was forced to send his children to live in his parents' home. Soon after, he turned destitute. He was patronised by some Muslims who intended to use him to place Gandhi in an embarassing situation. They endeared themselves to Harilal by encouraging and financing his drinking habits and other vices and, after gaining his confidence, they induced him to convert to Islam. After a much-publicised conversion, Abdullah Gandhi's, Harilal's Muslim name, patrons publicly invited Gandhi to accept his son's adopted religion. Throughout his life Gandhi had always expressed very strong views against conversions. He criticised his son's conversion and termed it inconsequential and something that would not bring glory to Islam. Realising that they had failed to humiliate Gandhi, the vested interests abandoned Harilal. In a fit of depression, Harilal went on a drinking binge and was arrested by the Madras police for committing public nuisance. When his identity was established, Gandhi was informed about it. Gandhi publicly disowned Harilal; in private he expressed his defeat in not being able to save his firstborn from ruin.

2

THE MURDERERS

'Bachche hain, abhi yeh samajhte nahin hai. Maroonga to yaad karenge ke boodha theek kehta tha.'
'They are children. They do not understand the situation now. When I am dead, then they will remember that what the old man had said was right.'

–MAHATMA GANDHI
on 20 January 1948

All the members of the gang who murdered Gandhi, although very diverse in nature, shared a common characteristic—they were all fanatics. A pathological misogynist; a debonair womaniser; and an orphaned street urchin who had made it big and become a bigot; a revolutionary turned collaborator; a rogue arms merchant and his servant; a homeless refugee seeking revenge; a hero-worshipping kid brother; a doctor who believed in killing rather than saving lives. The weapon was a gun, which travelled across three continents, before finally reaching the hands of Gandhi's assassin.

The members of the gang of murderers were Narayan Dattatreya Apte, Nathuram Vinayak Godse, Vishnu Ramkrishna Karkare, Vinayak Damodar Savarkar, Digambar Ramchandra Badge, Shankar Kistayya, Madanlal Kashmirilal Pahwa, Gopal Vinayak Godse, and Dr Dattatreya Sadashiv Parchure.

For fourteen years, the Hindu Mahasabha had been plotting to kill Gandhi, and the participation of Poona-based Narayan Apte and Nathuram Godse has been reported in a majority of these attempts. For the major part of these years, Narayan Apte was the leader of the gang. Nathuram Godse, Gandhi's eventual murderer, was a committed member of the gang; an idealistic underling, he had forged a very close bond with Apte.

Godse was born into a middle class Chitpavan Brahmin family. The term Chitpavan literally means 'purified by the holy fire'; the Chitpavans are believed to be of pure Aryan lineage. Another opinion is that they are Jewish descendants of one of the lost tribes of Egypt. Among the many

illustrious Chitpavan Brahmins were Gandhi's 'political guru' Gopal Krishna Gokhale and the firebrand leader of the hawks in Congress, 'Lokmanya' Bal Gangadhar Tilak.

The Godses originated from a small village called Uksan in western Maharashtra. Uksan is about ten kilometres from Kamshet, a railway station on the Bombay-Poona line. Vinayak Godse, Nathuram's father, worked as a minor official in the government-run Indian Postal Services. Vinayak was married in 1892 to a ten-year-old girl from the Chitpavan Brahmin community. Their first three sons, born in rapid succession, died in infancy. Only a daughter, their second born, survived. The elders of the family consulted a soothsayer who said that, as the family was suffering the ill effects of a curse, no male child would survive. The only way to negate this curse was by cheating fate: they would have to bring up their next male offspring as a girl. Vinayak and his wife performed rituals to appease the gods and seek protection for their unborn sons. They swore that, at birth, they would get the baby boy's left nostril pierced and make him wear a nose ring, a common practice for newborn girls. A boy was born to the couple on 19 May 1910. At birth he was named Ramchandra, later shortened to 'Ram'. As promised, the boy's left nostril was immediately pierced and he was made to wear a nose ring (called nath in Marathi). Thus the boy came to be called Nathuram, 'Ram who wears a nose ring'. Although the nose ring was later discarded, after all the subsequent male children survived, the name stuck. Ramchandra was for the rest of his life called Nathuram. Nathuram was followed by Dattatreya, Gopal and Govind, and another daughter.

A lowly postal worker, Vinayak could not adequately provide for a family of four sons and two daughters, and the family was always short on rations and other necessities. Employees of postal departments were frequently transferred, and thus Vinayak spent many years away from the family during the formative years of his children's life. Nathuram grew up largely without the protective presence of his father. The child was mercilessly teased and traumatised for having to live as a girl. Young Nathuram soon turned into a brooding loner, who would sit, lost in a world of dreams. Soon he was branded 'different'. As was prevalent in those days, people with personality traits other than normal, were either branded as 'idiots' or, if lucky, said to possess divine powers; Nathuram belonged to the latter. The Godse family believed that Nathuram was blessed with paranormal powers. They believed that he would go into a trance when

made to look at a black spot painted on a copper plate using lantern soot; they believed he saw figures and heard divine messages. They also claimed that, during the trance, Nathuram spoke to them in the voice of the family deity and that the deity answered their questions through him. Nathuram, of course, could never recall what he said during these trances. He was known to suffer from migraine and was prescribed medication for it. Finally, at the age of sixteen, the trances stopped. Gopal Godse writes that Nathuram gave up being a medium for his family voluntarily.

Nathuram was initially educated in the village school in Marathi, his mother tongue. After completing primary school, he was sent to Poona for his matriculation. Nathuram was not academically inclined, but loved to read mythologies and the scriptures in Marathi. However, as he was unable to master the English language, he could not complete his matriculation. He was a healthy youth who was known as the best swimmer in his village. A matric pass was the minimum requirement to get a job as a junior clerk, the bottom-most rung in the government service. Vinayak was now nearing retirement age and was keen that his eldest son get a job in his department so that he could provide for the family. But Nathuram could never cross the matriculation hurdle. He tried to take up carpentry but gave up after learning the rudiments. When he was nineteen, his father was transferred to the scenic but sleepy seaside hamlet of Ratnagiri on the west coast of Maharashtra.

Ratnagiri had become the place of confinement of Vinayak D. Savarkar and before him, the exiled king of Burma. Savarkar had begged for clemency from the King Emperor after spending fourteen years in the Cellular Jail, at Port Blair in the Andaman and Nicobar Islands in the Bay of Bengal. In return of a promise of obedience and loyalty to the British and good conduct, Savarkar was shifted to Ratnagiri where his movements were restricted to within the district limits.

Nathuram had heard about Savarkar being around, and one day he visited the Savarkar residence. His life was never the same again.

Nathuram soon became a regular visitor to the Savarkar home. His political indoctrination had begun; Nathuram had finally found a guru. In Savarkar he saw the father who had never been there for him. Savarkar's desire for Hindu resurgence and a militant version of Hinduism appealed to the youngster and he soon became an ardent devotee. As a consequence of the agreement with the British, Savarkar had pledged not to indulge in

political activities, not to deliver political speeches in public, even his books could be published only if the publishers certified that they were devoid of any political message. But Savarkar gave vent to his feelings in private; there were no restrictions on what he said within the four walls of his home provided by the British, and visitors were free to come and go. Most of what was said in the Savarkar home was not anti-British, but anti-Congress and anti-Muslim. For Nathuram, who had failed at everything else, this was an opportunity to make a mark.

Impressed by Nathuram's devotion, Savarkar appointed him as his secretary. Nathuram picked up the rudiments of English by listening to Savarkar and started mimicking his style of speaking. He soon became proficient in writing and speaking English.

In 1931, Vinayak Godse finally retired from the postal department. He decided that they would have to shift to a small town where his meagre pension would be sufficient to meet the needs of his large family. The Godse family settled down in the small town of Sangli in south-west Maharashtra. To supplement his father's pension, Nathuram learnt tailoring and set up a shop. This too was insufficient, so to add to the family income he started selling fruits. During this time, some upper caste Hindus got together in Nagpur, in the Vidarbha region of Maharashtra, the geographical centre of British India, to establish a Hindu Sangathana. This was the precursor to the RSS and the Hindu Mahasabha. The idea was to forge a militant Hindu organisation, which would espouse, under the guise of Hindu supremacy, upper caste Hindu supremacy. The founders were all Maharashtrian Brahmins. They opposed the Gandhian policy of uniting all Indians, equal partnership for the Muslims and the absolutely abhorrent policy, to the Brahmins, of equality for the untouchables, to bring them to the same level as the rest of Hindu society. Gandhi was their main enemy; the Congress, then under his sway, was also hated by this group. Their call to the Hindu upper castes was to forsake Gandhi's non-violence and take up arms. The founders of the Hindu Sangathana were very influenced by Savarkar and before forming the organisation had confabulated with him in Ratnagiri. In fact, the idea of such an organisation was first mooted by Savarkar.

Nathuram had served his master in Ratnagiri while the idea of the sangathana was being discussed; he knew that Savarkar had blessed the birth of the militant Hindu Right wing organisation. So, when a branch of

the sangathana was opened in Sangli, Nathuram was first to join up and was soon appointed secretary. He was now in his twenties and his parents wanted him to marry a girl from their caste. However, Nathuram was still not over the trauma of having spent his childhood as a girl. He had now developed a severe aversion to the opposite sex and he vehemently refused marriage.

In 1937, the British allowed partial participation to Indians in the governance of their country. Elections were held for some of the provinces and Congress-led provincial governments were sworn in with limited powers. The Bombay province elected its first Congress government, and their first act was to lift the restrictions imposed by the British on Savarkar. Finally a free man, he decided to move to Bombay. The Hindu Sangathana and other Savarkarites got together and took him on a tour of Maharashtra. He delivered lectures in various towns and cities; one of the places he visited was Sangli. Nathuram, as the secretary of the local branch, was in charge of all the arrangements for Savarkar's stay in Sangli. Savarkar also trusted him due to his close acquaintance with him in Ratnagiri. Nathuram joined Savarkar's staff and accompanied him on the rest of the tour. Nathuram decided that living in Sangli was stifling his growth. He had to shift to a more centrally located place close to Bombay and Savarkar; he closed down his shop in Sangli and moved to Poona. Although he did open a tailoring shop there, most of his time was spent in the activities of the Hindu Sangathana. After Savarkar's release, the Hindu Sangathana had launched its political programmes in earnest. Not surprisingly, none of the programmes were for India's freedom, not even against the British colonialists. The Hindu Sangathana had only two enemies in India: The first was Gandhi, and the second, Indian Muslims.

Under Savarkar's leadership, the Hindu Sangathana changed into the Hindu Mahasabha. Their aim was a Hindu nation, with the Muslims, if they remained, as second-class citizens. Nathuram now worked twenty-four hours a day as a member of the Hindu Mahasabha. The training he had received in Ratnagiri came in handy. He became a passionate preacher of the Hindu supremacist cause. In 1938, the Mahasabha launched a march on the princely state of Hyderabad, which was ruled by the Nizam and his razakars, a vicious group of thugs who terrorised Hindus living in the state. Nathuram was entrusted the leadership of the first batch of marchers; he was arrested and was imprisoned for a year. By the time he was released,

the Second World War had broken out. As the principal British colony, India was also affected by the tides of war.

The Congress refused to co-operate with the British war effort; the Muslim League led by Jinnah and the Hindu Mahasabha led by Savarkar decided to work for the British. Both had selfish motives: Jinnah thought he would be able to get a special deal for himself and his party after the war; Savarkar felt this was his opportunity to get close to the British. Everyone knew that Indian independence was a certainty. Gandhi and the people of India had done their bit, now the race was on to grab the biggest piece of the freedom pie for themselves; the Congress had already ensured its share.

After his release from prison Nathuram returned to Poona. His activities in the Hindu Mahasabha had increased, now that Savarkar was trying to create a national party from one that had only regional standing and support within the Maharashtrian Brahmin community. In 1940, Nathuram again met someone with whom he was going to develop a life-long bond. Narayan D. Apte had just returned from Ahmednagar, where he had been working for the Mahasabha. The two young men were as different as chalk and cheese, but as it usually happens, they instantly formed a bond which was to last them for the rest of their years. In 1942, to fill the vacuum created by the mass arrests of Congress leaders and workers, Savarkar mooted the idea of forming a Hindu Rashtra Dal, members of which would be the storm troopers of the Hindu Mahasabha. Nathuram Godse and Narayan Apte joined the Dal. For all of Savarkar's grandiose plans, the Dal became a truncated version of the Hindu Mahasabha. At its peak the Dal had a membership of not more than 150 members, confined to Poona. Its members were given martial training and were indoctrinated in the Savarkar philosophy of intolerance and bigotry. Its only visible activity was disrupting Congress meetings, heckling Congress leaders and hounding Gandhi. Nathuram and Apte were at the forefront of these activities.

In 1944 Nathuram broached, to Apte, the idea of starting a newspaper espousing the ideals of the Hindu Mahasabha and the Dal. On the Hindu new year day, Gudi Padva, in Maharashtra, the first issue of the *Agranee* was published. The front page, like all the subsequent issues, carried a portrait of Savarkar. Nathuram was the editor and Apte the publisher. The paper was launched with the blessings of Nathuram's godfather Savarkar, who had gifted Rs. 15,000 to the two friends for their venture.

India was in turmoil: freedom was at last within its grasp, but storm clouds were gathering on the horizon. The Muslim League had taken an adamant stand by insisting on an independent Muslim homeland. Gandhi and the Congress were vehemently opposed to any vivisection of India. But the British were keen to reward their wartime allies. It served the purpose of dividing the Hindus and Muslims of the subcontinent and exploiting the resulting disturbances to prolong their rule over the colony. The Hindu Mahasabha decided to exploit the situation. With the Muslims shifting to their own homeland, their dream of a pure Hindu nation would be fulfilled. In the event of a partition, they would 'encourage' Indian Muslims to immigrate en masse to Pakistan.

Nathuram and Apte, now inseparable, were in the forefront of these activities. Nathuram had accepted the more dynamic and extroverted Apte's leadership. Their joint venture *Agranee* was barely managing to survive. Savarkar, however, kept them afloat with gifts of cash. *Agranee* faced continuous prosecution for infringements of the Press Act from the Bombay provincial government. The language and content of the paper was extremely rabid, right from its inception to its death in 1947. It was served notices and fined and only allowed to continue on furnishing cash deposits which were increased from time to time. This continuous prosecution increased the" anger Nathuram felt for the Congress and its leaders. Finally, just before the government issued orders to close it down, Apte and Godse renamed the newspaper as *Hindu Rashtra.*

On the personal front, Nathuram was still rejecting every proposal of marriage brought by his parents. The only habit he cultivated was an addiction to coffee. Apte and he would frequent the tea-rooms of Poona, one of their favourite haunts being the restaurant at the station. Throughout his life Nathuram was able to form relationships and close bonds only with men. He was instantly attracted to men with dynamic and extroverted personalities; thus he bonded in a hero-disciple relationship with Savarkar in his formative years and then formed a bond of subordination to the extroverted and flamboyant Narayan Apte, who was actually a year younger than him. He hated with equal passion, and the target of his pathological hatred was another very strong and dynamic man, Mahatma Gandhi.

The fear of rejection and failure haunted Nathuram continuously. Having failed to kill Gandhi several times, and especially after 20 January 1948, Nathuram, in a fit of desperation to prove their detractors wrong and

succeed at least once, took the lead in the final attempt on Gandhi's life. When he finally pumped bullets into Gandhi on 30 January 1948, the eldest son of Vinayak Godse succeeded at something for the first time.

The second accused in the Gandhi murder case was Narayan Dattatreya Apte, a Brahmin from Poona. Apte, born in 1911, belonged to a family of scholars. He was extroverted, flamboyant and an incorrigible womaniser. Wine, women and all the luxuries of life were his weaknesses. He smoked and drank, and unlike a Brahmin, even relished meat; he loved to wear western clothes, like a pucca gentleman of the Raj. Apte was blessed with looks women were charmed by. He had a way with them and exploited this to move from one relationship to another. Where Nathuram was repulsed by the mere shadow of a woman, Narayan was attracted to them like a moth to the glow of a lamp.

Narayan's parents lived in Poona. His father, Dattatreya Apte, was a Sanskrit scholar and a well-known historian. Like Nathuram, Narayan was the first born of his parents; like Nathuram he also headed a large brood of siblings, three sisters and four brothers; but unlike the uneducated Nathuram, Narayan did his matriculation from Poona and then graduated from Bombay University in 1932 with a Bachelor's degree in science.

As was customary in Indian families, Apte's parents arranged his marriage immediately after his graduation, to a girl from a family of Brahmins of the same caste. Champa Fadtare was from an old and influential Brahmin family of Poona, and were far more affluent than the Aptes. To Narayan's parents, Champa was a perfect match for their son: her family with their influence and wealth would be able to arrange an appropriate job for their unemployed son. After three years of unemployment, Apte secured a job as a tutor in the American Mission High School in Ahmednagar run by an American missionary.

Apte worked hard at his job. He had decided to make a career in teaching, and to be eligible as a teacher for higher classes he had appeared for, and passed, the Bachelor of Education exam. He was also politically inclined, and like many other Maharashtrian Brahmin youth of that time, was attracted to Savarkar. While in Ahmednagar Narayan established a rifle club with a shooting gallery that could only use .22 calibre guns firing slugs instead of bullets, due to restriction on the use of firearms by Indians, imposed by the British rulers after the first battle for freedom in 1857. The Congress government of Bombay province issued a license for the first

Civilian Shooting Club. Narayan's club became very popular and was soon replicated in Poona and many towns of Maharashtra.

In 1939 Narayan Apte joined the Ahmednagar branch of the Hindu Mahasabha headed by its founder Vishnu R. Karkare, a hotelier. Apte did not have much respect for Karkare, who despite being semi-illiterate was a self-made man. The cool vibes were reciprocated by Karkare, a Hindu zealot, who could not bring himself to trust a person working for a Christian missionary institution. It was during this time that Apte came in touch with Nathuram.

While Apte was in Ahmednagar, Champa bore him a son. Narayan was overjoyed, he adored his first-born male child and affectionately called him Pappan. However, tragedy was round the corner for the Aptes. They soon discovered that things were not quite right with their son as he did not show intellectual development. It was initially dismissed as the anxiety of the young parents, then brushed off with the explanation that some babies were slow. But by the time Pappan was two, it was painfully apparent that he suffered from a very debilitating mental disorder. Narayan was shattered; he wanted to give up Ahmednagar and also his fledgling career. The grief of fathering a severely intellectually impaired child drove him away from Champa and very soon into the arms of other women.

Though Narayan was still working in Ahmednagar, Godse and he kept in touch. Ahmednagar was then the hotbed of the Hindu Mahasabha's activities; it was the launching point for raids on the Muslim princely state of Hyderabad ruled by the Nizam. Karkare was one of the foremost organisers of these raids. Apte planned to launch a mortar and stengun fire attack on the Nizam's court. None of these daredevil raids ever materialised in reality, but they were attractive enough to induce wealthy and gullible supporters to finance them.

The most frequent method used by the Karkare-Apte gang to harass Muslims, was attacking families travelling by road at night and some times waylaying buses carrying Muslims. Hijacking goods transported by road by Muslim traders and damaging or destroying them was another method often employed by the gang. The razakars were also equally efficient and sometimes more brutal in dealing with Hindus in Muslim-dominated areas.

With the outbreak of the Second World War, Savarkar ordered his followers to co-operate with the British and to join the army in large numbers. Apte took a job as a wartime recruiter in the Royal Indian Air

Force (RIAF). He was given a wartime commission; his stint with the RIAF would last the duration of the war. He was posted in Poona with a temporary rank of flight lieutenant. This entitled him to wear a uniform with the insignia and all the accoutrements, a handy tool for seducing young women. At last Apte could leave Ahmednagar and a job he was getting bored of. His only consolation was that he taught a lot of young women and had charmed many of his female students. There were many tearful farewells when he quit his job at the mission school. One of the grieving girls was Manorama Salvi, a seventeen-year-old shy Christian girl from Bombay. Apte gave his female students his Poona address and told them that they were always welcome to visit him. One of the students who carefully preserved and later used the address to re-establish contact with Narayan was Manorama.

Due to the paucity of officers during wartime, Narayan was offered a permanent commission by the RIAF. Apte was overjoyed, a career as a commissioned officer was respectable and secure. It brought along with it many perks, a home, subsidised goods, high quality education for children and a life-long pension. But Apte decided not to take it. The official reason he gave was that his father had died and as the head of a Hindu joint family he was now responsible for the upkeep and welfare of his widowed mother and siblings. He could not hold down a job, which would bring with it transfers at short notice, and during wartime, a possible transfer to the front lines. The other reason was that the condition of his son Pappan had worsened. Champa too had begun showing signs of breaking down. She considered Pappan to be her sole responsibility and her life revolved around him. Narayan had been advised to put Pappan in an asylum, but he knew that Champa would not be able to bear the loss of her son. So, Apte chose to keep his temporary wartime commission as long as he was based in Poona.

He had a lot of spare time because there was hardly any recruiting taking place in Poona. The Congress' call for non-cooperation had put a stop to the recruitment drive. With time to spare Apte and Nathuram devoted an increasing amount of time to Mahasabha work. It was at this juncture that Savarkar launched the Hindu Rashtra Dal. Both Apte and Godse were soon given responsibilities and were rewarded with official positions. When Godse broached the idea of starting a newspaper, Apte agreed and so the two of them became partners in *Agranee.*

This was the time when the Apte-Godse gang began its systematic hounding of Gandhi. After his release from imprisonment in the Aga Khan Palace, Gandhi spent a few months at the cool mountain resort of Panchgani, very close to Poona. Narayan Apte and Nathuram Godse led a gang of Dal members to Panchgani and for a week took out processions, shouting slogans abusing Gandhi and the Congress. Apte was detained and was later interrogated by Deputy Superintendent N.Y. Deulkar, who was to later play a key role in the investigation into Gandhi's murder. The *Times of India*, in its edition dated 23 July 1944, reported the incident at Panchgani, stating that Gandhi was heckled by a group of young men lead by a journalist from Poona, N.D. Apte. According to an eyewitness account of this incident, Nathuram was caught hold of by volunteers as he rushed towards Gandhi brandishing a knife. Gandhi then asked that Nathuram be allowed to go. He invited Apte and his group of protestors to come and live with him and talk to him. Apte and Nathuram rejected the offer and returned to Poona.

While holding down two jobs, one as a commissioned recruitment officer for the RIAF and the other as the manager of *Agranee*, along with his activities in the Hindu Mahasabha, Narayan still found time to start an illicit liaison with his former student Manorama Salvi. She was now studying in Wilson College in Bombay, and stayed in the Ramabai Hostel for Girls which was attached to the college. She wrote to Apte, and a few days later, resplendent in an Air Force officer's uniform, he presented himself at the hostel matron's office. The usually very strict Mrs. Hewat was charmed by the dashing young officer, and when he asked to meet Manorama and a couple of other girls, who were his ex-students, permission was granted immediately. Apte took the three young women out for a film. Soon Narayan became a regular visitor to the hostel, but now asked only for Manorama. He used to write to her using a girl's name 'Nirmala'; and very soon the two became lovers. Manorama would fabricate stories and get permission from the hostel warden to stay out all night. The two would check in as husband and wife in many hotels in south Bombay. Narayan had bought a motorbike and thought nothing of covering the distance of almost a hundred and thirty miles between Bombay and Poona to meet Manorama, while he pretended to be a devoted husband to Champa, his legally wedded wife.

At the end of the war, Narayan's commission in the RIAF ended. Now both Nathuram and Narayan were solely dependent on *Agranee* for their livelihood.

Meanwhile, the rift between the Hindus and Muslims was widening. The hard-headed stance taken by Jinnah and the Muslim League in demanding an independent Muslim homeland, and the obstinate refusal by the Congress to reach an understanding with the Muslim League, was polarising the Hindus and Muslims. The till-then floundering Right wing Hindu political front was finding new converts. This helped the duo to resuscitate the dying *Agranee.* As circulation increased, revenues began to flow in, and they able to get funding for many of their schemes to attack Muslims from moneyed and gullible Hindus. For some time, in pre-Independence India, it became easy for both Muslim and Hindu fanatics to get funds and converts to their campaigns.

Nathuram and Narayan soon started looking to expand their publication. They acquired a plot of land to build an office, which would house their newly acquired printing press. A shed was built at 495 Shanwar Peth, an old locality of Poona, from where *Agranee* and the Shivaji Printing Press started operating.

It was 1946; India was to be torn asunder by the massacres of Hindus in the riots following the Muslim League-backed Direct Action Day. The League was hell-bent on terrorising the administration and the Congress in particular, to get them to agree to their demand for a separate Muslim homeland. If innocent Hindus had to be sacrificed, so be it. And if there was a Hindu backlash against the Muslims it would further their demand for a separate Pakistan. It did.

Elections to the provincial assemblies and the Central Constituent Assembly were held and in most provinces of India, the Congress formed governments. The viceroy ruled as a caretaker with the help of an All India Cabinet. Bombay province was once again under the Congress government, and this time they had much more power. The *Agranee* soon started feeling the heat of the government's persecution. The paper had, during this period of unrest in India, become a very rabid journal; it gave horrific, many a times grossly exaggerated and even fictitious, accounts of the massacres of Hindus. At the same time, Nathuram, in his editorials, egged on Hindus to exact revenge on Muslims everywhere and bitterly attacked the Congress and Gandhi, in particular. The *Agranee* was slapped with many fines by the

provincial government for infringement of the Press Act and for fomenting trouble between Hindus and Muslims. The monitory fines threatened to cripple the venture, which had just started to break even and earn notoriety and some revenues for the partners. To Nathuram and Narayan, this was a case of vindictive harassment by a political opponent. They became progressively bitter towards the Congress, and the focus of their rage was Gandhi.

It was during this time that Narayan Apte again came in contact with Karkare. Vishnu Ramkrishna Karkare was born of Brahmin parents. His father died while Vishnu was very young, leaving the child with no memories of his father and childhood. He did not know his date of birth, not unusual in India even today. The fatherless Vishnu initially grew up at the Northcote Orphanage in Bombay. The records of the orphanage show that Vishnu was born in 1910.

Vishnu received only very rudimentary primary education. By the time he was ten, he had escaped from the orphanage and started working as a 'tea boy' at a small tea-room. He did not last too long, but he did learn the trade. One day he ran away to Poona. Very little is known about Vishnu's life in Poona, but he learned to read and write Marathi and learnt to speak Hindi, or 'Hindustani' as it was known then. For the next fifteen years, Vishnu managed to survive in Poona by doing odd jobs. Judging from how he lived as a young man, Vishnu learnt much more than how to survive in Poona. As a young man he was a very ardent supporter of the Hindu extremist ideology.

Perhaps somewhere along the way, the orphaned street urchin must have developed a deep-rooted resentment for the way life had treated him. While growing up it is very likely that Vishnu may have suffered at the hands of a callous society. Whatever the trauma he suffered, Vishnu grew up a very angry young man and the target of his anger was Muslims.

After spending fifteen years in Poona, Vishnu, now a young man of twenty-five, decided to move on. With his life's possessions packed in a gunnysack, he caught a bus to Ahmednagar. Here, the young man opened a small tea stall near the bus depot. Along with hot cups of chai, Vishnu served puri and thecha, a fiery paste of coarsely ground green chillies tempered with hot oil. A thick bhakri, a raw onion, smashed with the hand and peeled just before eating and a spoonful of thecha is the staple diet of labourers and farmhands of Maharashtra. Soon Vishnu's tea stall became

popular and he moved to an unused cowshed. Karkare expanded it into a hotel which offered lodging and boarding. After a few years, Karkare built the Deccan Guest House in the Kapda Bazaar area of Ahmednagar where it still stands. The orphaned urchin who had lived most of his childhood and youth on the streets had become a moderately prosperous hotelier.

Karkare was now suffixed with 'Seth', which meant an employer or a rich person. He got married and decided to indulge in his fondness for theatre by funding a theatre group which regularly performed shows as a touring company. In rural Maharashtra these touring Companies were the only source of entertainment and were very popular. Vishnu, after achieving social status, decided to start doing 'social work'. He provided shelter for students from villages free of charge and established the Ahmednagar branch of the Hindu Mahasabha.

In 1938 Savarkar came to Ahmednagar. In his honour Karkare, now the district chief of the Hindu Mahasabha, held a special show performed by his theatre group. According to Karkare, Savarkar was very impressed by the show. In 1939, Apte met Karkare at a Mahasabha meeting. They did not interact much at the first few meetings, as both were indifferent towards the other. When elections were held for the Ahmednagar municipality, Karkare filed his nomination and was elected unopposed. The street urchin had come a long way. At the age of thirty-two he was married, ran a moderately successful business, was a patron of the performing arts, headed a political organisation and was an elected representative in the Town Council.

However, upward mobility and prosperity had done nothing to diminish the hatred for Muslims that had taken root in Karkare's psyche. With the availability of funds and his power over the cadres of the Hindu Mahasabha, Karkare's anti-Muslim activities increased and soon he was in the forefront of a campaign against the Muslims living in the district and in the villages bordering the territories of the Nizam of Hyderabad.

It was during this phase of his life that Karkare came in contact with a person who sold weapons in Poona—Digambar Badge. Whenever Karkare visited Poona, he would purchase some legal and a lot of illegal arms like homemade crude bombs and hand grenades from the Shastra Bhandar owned by Badge to stock his armoury. Karkare learned that Badge specialised in chain mail vests which protected the torso of the wearer from knife and sword wounds. Karkare had a couple made for himself, which he would wear under his shirt or jacket, whenever he went on 'missions'. In

one of the letters he wrote to Badge to order weapons, he instructed him that, to avoid detection, he would refer to weapons as 'books', so when Badge received a letter or note from Karkare ordering certain books and novels he was to understand that it was actually an order for weapons, each title representing a weapon or explosive.

After the Direct Action Day called by the Muslim League, the whole of north-east India, particularly Calcutta and the interior districts of East Bengal, burst into an orgy of violence. In these areas there was a peculiar social structure. Hindus were in a minority and were mostly wealthy landowners, merchants, traders or moneylenders, while the majority Muslim community comprised agricultural labourers, artisans and were, in general, impoverished. So there was a long-standing class animus between the two. When the Muslim leaders encouraged their people to take to the streets to force the government to accede to their demand for a separate Muslim homeland, the call was endorsed by many Imams. The Muslims of East Bengal rose to a man and indulged in the most heinous slaughter of the Hindus and the abduction and rape of their wives and daughters. The disinterested police force manned by British officers and Muslim constabulary showed a very partisan attitude. They would disarm Hindu villages and then those villages would be attacked by mobs of Muslims.

Soon the horror stories of what was happening in Noakhali spread to every corner of India, shocking its population. The stories moved two very diverse kinds of people to action.

Gandhi immediately rushed to Noakhali and began walking through the riot-torn districts, spreading his message of peace and brotherhood. The other group who descended on the district, at least the Hindu strongholds of the districts, were Hindu extremists. Their mission was to spread hate so that the victims and their stories could be used to fan anti-Muslim feelings into an inferno of hatred in other parts of the country. Karkare was one of them. According to him, he travelled in the riot-affected districts, instilling confidence amongst Hindus, and rescuing Hindu women kidnapped by Muslims. He was also on a mission to re-convert Hindus who had been forcibly converted to Islam. While recounting his exploits in Noakhali to a friend, Karkare claimed that he and his troupe of Hindu rescuers had travelled through the riot-ravaged districts wearing traditional Hindu attire, their foreheads adorned with vermilion tilaks. This seems to be rather exaggerated: the Hindu Mahasabha and its cadres are not known to go deep

into Muslim-dominated areas. Also, if Karkare's band had ventured into the riot-ravaged areas of Noakhali dressed as he claims to have been, it is highly unlikely that they would have been spared by the Muslims.

But whatever may have been a figment of Karkare's imagination, the anger and hatred that filled him was real. He returned from East Bengal determined to inflict savage retribution on the Muslims and to achieve this he remembered Narayan Apte and Nathuram Godse, who were running the Hindu Mahasabha mouthpiece from Poona. He wanted them to publish his rather exaggerated stories from Noakhali. When he met the duo the initial resentment and suspicion that Apte and Karkare shared seemed to melt away in the flames of their newfound anger. Karkare was taken up by the schemes of revenge conjured up by Nathuram and Apte. In the summer of 1947, Karkare pledged his support to Apte and Godse and agreed to provide funds and collect weapons for the activities of the Apte-Godse gang.

Dada Maharaj (Maharaj here is used as a title and implies priest), a Hindu religious leader from Bombay, had also visited some parts of Noakhali in an attempt to reconvert Hindus. He was keen to help anybody who would seek revenge for the atrocities committed on the Hindus in East Bengal. Dada Maharaj was a wealthy man and keen to fund attacks on Muslims. On his return from Noakhali he was informed by one of his followers, Mukund Malaviya, about the plans of the Apte-Godse gang. Apte, after downing a few whiskies was known to boast about his plans to teach Muslims and Pakistani leaders a lesson. One of his schemes was to acquire a couple of mortars and attack the Pakistani Cabinet when it met in Delhi. This when he didn't even know what a mortar looked like, let alone how to use it!

Dada Maharaj made a special trip to Poona to meet Apte and Nathuram. After meeting them, he was so impressed by Apte's mortar attack scheme that he agreed to fund it. For Apte and Godse, this was heaven sent. They were on the verge of bankruptcy and here was a very wealthy man promising to fund them. Dada Maharaj not only gave them money but also introduced them to others in the business community who were inclined to fund Hindu extremist activities. Soon Apte was a regular at Dada Maharaj's home, selling him scheme after scheme. Sometimes it was purchasing mortars, another time it was stockpiling weapons to supply to the Hindu fighters in the territories of the Nizam of Hyderabad, while on another occasion it was the purchase of explosives to attack and blow up homes and

offices of Pakistani leaders. One thing that Apte sincerely did on his fund collecting trips to Bombay was to visit Manorama, take her out to dinner and then spend the night at one of their regular haunts. The readily available and mostly unused funds allowed him to be lavish.

The supply of arms to Hindu extremists that Dada Maharaj financed, was looked after by his younger brother Dixit Maharaj. Dada decided whom to help and released the funds while Dixit Maharaj made the arrangements, bought and supplied the weapons and generally was the go between. One of Dixit Maharaj's regular suppliers was Digamber Badge who— with his mismatched features—had a face that was not easily forgotten. He had a luxurious flowing beard and shoulder-length hair, which he kept heavily oiled. Badge fancied himself to be a master of disguise and liked to dress up sometimes as a sadhu, fakir, butcher, Sikh farmer, musician and so on. But he always overdid his disguises and instead of blending in, drew attention to himself due to his outlandish attire. Once he landed up at Dixit Maharaj's house dressed as a folk musician with his servant behind him carrying his drum. Badge dramatically ripped the drum open to reveal neatly packed daggers and swords inside its cavity.

Badge was a very resourceful and effective salesman and his clients rarely left empty-handed. The success of his arms business was due to the fact that there was nothing he could not get for his customers. He had made inroads into the arms depot in Poona Cantonment, and when needed, he could even supply genuine British-manufactured hand grenades.

In July 1947, Apte visited Shastra Bhandar again with Karkare. Apte told Badge that he needed a stengun for some influential clients. Badge jumped into the car, and drove off towards Yervada Central Jail, picking up a Sikh called Gurdayal Singh on the way. Parking the car behind the jail, Gurdayal got out and returned a few minutes later holding a packet containing a gleaming stengun. Till then Apte had always scoffed at Badge, but the ease with which he had produced the stengun established his credentials with Apte. After dropping off Gurdayal Singh they returned to Shastra Bhandar where Badge asked for Rs. 1,200 for the stengun. Very soon Apte realised that neither he nor his commandos could even hold the stengun properly, let alone aim and fire it. They realised that they would need a lot of ammunition to train people, but they had none. Just like the mortars, the stengun was another of Apte's follies.

Badge ran his business on a minimum expenses-maximum profit basis. He employed workers at the lowest salaries and drove them like slaves. Sometime in 1945, Badge visited Sholapur, a town near the border of Maharashtra and Andhra Pradesh, which had a reasonable Telugu-speaking population. Shankar Kistayya, an illiterate youth, lived in one of the hovels of Sholapur with his mother. The youngster worked as an apprentice to a carpenter. Badge was looking for someone who would make and fix handles on the dagger blades he bought at discounted rates. Shankar was the right choice. Badge offered him the job at a salary of rupees twenty per month. What Shankar did not know was that, along with his official duty, he was supposed to act as a rickshaw puller, delivery boy, sweeper, washerman, cook, masseur and anything else that Badge ordered him to do. He had to do the same chores for Badge's sister too. Badge was a bad paymaster and never paid Shankar his full salary. At one time, Badge owed him six months' salary and Shankar decided to quit and ran away to Sholapur. Using his contacts with the police, Badge filed a complaint of theft against Shankar and got him arrested. After being at the receiving end of police treatment Shankar decided that he was better off with Badge. He meekly resumed his duties and the case was finally dismissed.

In Bombay Dada Maharaj was getting impatient with Apte. Apte had taken Rs. 5,000 for the mortars but there was no sign of an attack on the Pakistani legislature. The future leaders of Pakistan were all leaving Delhi and shifting to Karachi; when was the promised attack coming? Apte visited Dada Maharaj with Karkare and admitted that he hadn't been able to get the mortars; he blamed it on his contact in Goa who had reneged on the deal at the last minute. But Apte was offering two more schemes: the first was a raid on a frontier octroi post on the border of Hyderabad. They would kill the Nizam's octroi agents and decamp with the day's collection of octroi. For the attacks Apte said, they would need Dada Maharaj's car, a Chevrolet station-wagon, which would be able to carry a large raiding party and the weapons. The second scheme was even more impressive. Apte proposed to ambush and destroy the train carrying Pakistan's share of the explosives and ammunition left by the British. But to carry out this raid he needed Rs. 10,000 to purchase a couple of flame-throwers.

Dada agreed to give his car but refused to advance any money without having seen the flame-throwers first. He also said he had access to some hand grenades and dynamite which they could use to blow up the train. But

Apte wanted money. He took the car and drove off to keep his date with Manorama.

Dada Maharaj waited patiently to hear from Apte or read in the papers about the attack on the octroi post, but there was no news for two months. Finally in October he went to Poona looking for Apte and an explanation, and to get back his car. Apte realised that Dada was at his wit's end. He lined up the members of his Hindu Rashtra Dal, claiming that the team was ready and was only waiting for the flamethrowers to attack and destroy the next ammunitions train to Pakistan. He invited Dada to inaugurate the new office and press building of the *Hindu Rashtra.* The building had been constructed by diverting the funds they got for their plans to carry out raids in Hyderabad and on the Pakistani leadership and was to be inaugurated by Savarkar, but due to ill health he did not travel out of Bombay. Apte did not have an explanation as to why the raid on the octroi post had not been carried out. Dada Maharaj, relieved at finding his car intact, did not pursue the matter, but declined to give money for the flamethrowers.

Apte sent for Badge, who brought a whole cocktail of explosives-gun cotton slabs, '808' packets of nitro-glycerine, fuse wires and detonators. Dada bought almost everything he offered. He had it loaded in his car to take back to Bombay as he wanted to distribute it to more reliable Hindu arsonists in Hyderabad. Apte showed him a small calibre revolver which he claimed to have bought for Rs. 400. He requested Dada to have it exchanged for a more reliable and bigger calibre revolver. Before leaving for Bombay, Dada ordered Apte to blow up the ammunition train to Pakistan. But Apte was preoccupied. Pappan, his son, had become progressively more unmanageable and he had to finally send him to an asylum. Champa became hysterical on losing her son and blamed Apte for it who had to relent and bring him back home.

In Bombay, Manorama told Apte that she was pregnant. She had moved out of the hostel and begun living with her parents. Her father, Daulatrao Salvi, lived in police quarters next to the Northcote Police Hospital in Byculla where he worked as a medical assistant. Manorama was in her final year of BA, a few months away from graduation. Her pregnancy was a matter of great worry for her, as she belonged to a very orthodox and close knit Roman Catholic community.

Nathuram had no such worries. His family had moved back to Poona; his sisters were married off and two of his brothers were working and had

their own homes. He lived in a tiny one-room tenement at 334, Shanvar Peth, very close to the office and press of the *Hindu Rashtra.* Unlike Apte, Nathuram did not have any interest in the opposite sex; his aversion towards them had, if anything, increased and now grown into a phobia. He edited the *Hindu Rashtra* from a tent pitched behind the building that housed the printing press. He accepted Apte as his leader in all their schemes and actions on behalf of the Mahasabha. He was happy as long as Apte was bringing in the money: the means did not matter.

But Apte was getting worried; the people who had readily funded his hare-brained schemes were now demanding results. They would have to give up something quickly. Apte needed money to sustain his lavish lifestyle, while Nathuram had to keep his publication going. Discussing this over cups of hot tea and coffee, Apte said, 'Let's kill Gandhi!' Nathuram's eyes lit up. They had attempted this many times but failed. An attempt on Gandhi's life was sure to generate a lot of publicity; it would be easy to convince their financiers and the funds would come in. Like most killers, Apte and Godse believed that they could walk away after murdering Mahatma Gandhi.

In the core team, Apte and Nathuram were good friends; Karkare was the odd man out. Soon he too would meet someone he could befriend. Ahmednagar was one of the many destinations for refugees of Partition. Karkare started working to make life a bit easier for these unfortunate victims and provided them temporary shelters and unlimited meals. Ahmednagar had a sizeable Muslim population who had good homes and flourishing businesses and were generally well off. This infuriated the refugees; they wanted to drive out the Muslims and have their businesses and homes distributed amongst them. Their anger was heightened by news from across the border: Nizam's cadre of thugs called the 'razakars' or 'volunteers' led by a ruthless fanatic called Kassim Rizvi, had not only terrorised the Hindus living in Hyderabad but also often crossed the borders to raid isolated villages. The backlash for these actions was born by the innocent Muslim residents of Ahmednagar. The situation became so volatile that the administration prohibited the carrying of any weapons by civilians in the entire district.

At that time Karkare was busy collecting weapons and ammunition for Apte's raid on the border octroi post. They needed grenades but Badge had hiked his price and was asking for Rs. 200 per piece. Karkare heard that

grenades could be bought much cheaper in Bombay from one of the many illegal factories. Karkare went to Bombay and visited the refugee camp in Chembur. Here he met Madanlal, who claimed to have actually made hand grenades. Madanlal came from a village called Pakpattan, in the Montgomery district of West Punjab, now in Pakistan. He was just twenty-one days old when his mother died. The boy was a troublemaker since childhood and was severely disciplined by his father and stepmother. At the age of seven he was sent to a gurukul where he got into scraps and violent fights with fellow students. As a youth Madanlal joined the militant RSS shakha. His father was a dedicated Congressman and his son's antics displeased him. Once after he received a sound thrashing, he ran away from home. He reached Rawalpindi and enlisted in the Navy, where he worked as a radio operator. Madanlal served in Lahore, Rawalpindi and Jhelum and then in Bombay where he was discharged in 1946.

The division of India, which also meant the division of Punjab and Bengal, was already on the cards. Madanlal decided to go back to his village and organise the Hindus; 'the Muslims had already organised themselves into the National Guards, we had to do something'. He led attacks against the Muslims in Lahore; once while trying to explode a bomb he lost the first phalange of his index finger in Lahore. Later, speaking to writer Manohar Mulgaonkar, he recounted a more romanticised version, claiming that while working in a clandestine bomb factory he had slipped and his finger had been crushed in the teeth of a gear wheel. He said, 'My assistant immediately shut off the machine and wanted to call a doctor, but the factory was littered with grenades, and to call a doctor then would have been suicidal. I just picked up a knife and hacked it off.' The first story seems far more plausible.

Madanlal crossed over to India with the first wave of refugees. He reached Gwalior where he joined a gang of marauders and attacked and murdered many Muslims fleeing to Pakistan. They would board trains at smaller stations in the princely state of Gwalior, identify the Muslims, pull them out of the train and massacre them. They often abducted Muslim women and after raping them, would sell them off. The Maharaja and his administration ignored these activities as the former was favourably inclined towards the activities of the Hindu Mahasabha. Soon after reaching Gwalior, Madanlal received news that his father was at Ferozepur Hospital. He had been severely mauled while trying to escape to India. His son

vowed to avenge the injuries suffered by his father by inflicting ten times more severe retribution on the Muslims. He came to Bombay and started living in the Chembur refugee camp. To sustain himself Madanlal looked for employment and came in touch with Prof. Jagdish Chandra Jain who offered him a job selling books written by him. However, Pahwa had to look for other work and joined the Vassen Puspasen Fireworks factory. The real business there was making hand grenades and Madanlal was employed as a bomb maker. To supplement his income, he sold hand grenades to revenge-seeking refugees and others. It was during this time that he came in touch with Dixit Maharaj. Under the pretext of selling Jain's books, Madanlal sold hand grenades to him, although both of them later denied it in court. There was no other reason for the two of them to meet as often as they did.

It was during this period that Dada Maharaj promised to help Apte with hand grenades and dynamite. Dixit was suitably impressed by Madanlal and spoke of him to his brother. They both trusted Madanlal and on a subsequent meeting they sent aid materials with him for the refugees. When Karkare came to Bombay to buy hand grenades, Apte must have referred him to the Maharaj brothers, who in turn introduced him to Madanlal. There was an instant bonding between the two. The garrulous small town hotelier and the lonesome young refugee found friendship and support in each other. Karkare persuaded Madanlal to move to Ahmednagar; he promised him shelter, plenty of opportunities for revenge and business opportunities. Madanlal was at a loose end, and decided to take up Karkare's offer. He took his pending wages in kind, packed a few dozen hand grenades, his meagre belongings and followed 'Karkare Seth' to Ahmednagar. He left without settling accounts with Jain, but later wrote to him saying that he would do so on his next visit.

A few hours after Madanlal left for Ahmednagar, the Vassen Puspasen factory was raided and its owners and workers were arrested. Madanlal had escaped by the skin of his teeth.

In Ahmednagar, Madanlal got together with some refugees and formed a band of avengers. Under Karkare's guidance, the gang started terrorising the Muslim residents of Ahmednagar. Madanlal forcibly took over a fruit seller's stall in the market by terrorising and driving away its Muslim owner. Karkare funded him to start his own fruit business. Now Madanlal was indebted to 'Karkare Seth', and was willing to do anything for him. Karkare

expanded his business by driving away Muslim merchants and taking over. He found managers for these newly acquired businesses from among the many refugees; besides providing them with employment, it also earned for Karkare their gratitude and loyalty.

Sometime in the first half of December, Madanlal visited Bombay. He met Jain who was rather angry with him for not having settled his accounts. Madanlal pacified him and squared up the account. Soon he was boasting about his life in Ahmednagar and about his exploits. He talked about his benefactor 'Karkare Seth', and how he was not only financing his business but also the campaign against the Muslims. He mentioned how he had attacked many Muslim establishments with hand grenades and boasted about how 'Karkare Seth' depended on him to provide muscle power whenever required. Madanlal also boasted to Jain how the two of them were able to evade arrest and get investigations against them scuttled.

Mid-December Karkare took Madanlal to Poona where they met Apte and Nathuram. The plans for raiding the octroi post were again discussed. Karkare recounted Madanlal's exploits with hand grenades in Ahmednagar. Apte was pleased; at last they had found someone who was proficient with explosives, fanatically committed to their cause, and most importantly, someone who could be easily manipulated. Apte told the group that as soon as he arranged for a vehicle they would carry out the raids. He asked Karkare and Madanlal to prepare themselves and form a crack team from the refugees in Ahmednagar for the raid. He also hinted to Karkare and Madanlal that they would have to be ready for a mission at short notice and may have to stay away for a long time.

Madanlal had been active in attacks on Muslim establishments and in provoking communal riots in Ahmednagar. He had thrown a grenade during a film show at Vasant Cinema, and once at a Muslim tazia procession while it was passing through the Kapda Bazaar area very close to the Deccan Guest House owned by Karkare. On one occasion he led a mob of refugees to the collector's office, demanding that the homes and businesses of the local Muslims be seized and distributed amongst the refugees. The Ahmednagar police had begun to notice that Karkare and Madanlal were very active amongst the refugees and in attacks on the Muslims but they turned a blind eye. This encouraged them both. From among the men who had joined Karkare and Madanlal's band they culled out the most fanatic and ruthless and started using them in their raids on the territories of the

Nizam. They were preparing their team for the raid on the octroi post across the border.

The raid never materialised. On 1 January 1948 the Ahmednagar police raided the home of Karkare's manager, S.V Ketkar. They found a trunk kept there by Karkare, filled with weapons and explosives. Some of the grenades they found were similar to the ones that had recently been exploded in Ahmednagar and Poona. The police raided Karkare's home and guest house but Karkare had been tipped off beforehand. He removed all the weapons and explosives and requested Madanlal to hide them. The police found nothing. A round-the-clock surveillance on Karkare and his men was ordered by the Home Office in Bombay. Things were getting uncomfortably hot for Karkare and Madanlal.

On 5 January Karkare learnt that Congressmen were organising a public meeting for communal harmony. Raosaheb Patwardhan was going to address the meeting. Karkare ordered Madanlal and his men to disrupt the meeting and drive away the Congressmen. Madanlal reached the venue armed with daggers; their stock of explosives and grenades had been confiscated from Karkare's home. As soon as Patwardhan started speaking, Madanlal and his men started heckling him and shouting anti-Muslim and anti-Congress slogans. When Patwardhan continued to speak Madanlal rushed on to the stage, pulled away the mike, grabbed the senior Congress leader by the scruff of his neck and dragged him off the stage. Before he could act further, a couple of police constables pulled him away. There was complete pandemonium. A dagger was found on Madanlal's person, which was confiscated, and after reprimanding him he was let off. In court, during the Gandhi murder trial, Madanlal stated that the constables were sympathisers and therefore lenient.

It was during this time that the two were urgently summoned to Poona. Apte wanted them to drop everything else and get there immediately. Just as they were about to leave on the 9th, Karkare's source in the Police Department informed them that a warrant for their arrest was being issued. Now it became imperative that the two of them leave Ahmednagar immediately. At the railway station Madanlal bumped into Inspector Joshi who knew him as Karkare's man. He asked Madanlal what he was doing there. Madanlal told him that he was on his way to Delhi to get married and after a few minutes he boarded a train for Poona.

Madanlal had been informed by his uncle, Dr. Ahooja who lived in Delhi, that they had short-listed some girls for his marriage. Madanlal, however, was committed to the Apte-Godse-Karkare gang. In Poona, Karkare and Madanlal visited Shastra Bhandar where they saw a variety of weapons. Madanlal assured Karkare that he knew how to use them and left after asking Badge to hold the stuff for them.

The entire gang assembled at Nathuram's office. The plan was discussed and it was decided that since Badge had hiked his rates they needed to find a cheaper source for weapons. Madanlal knew that his old factory had been closed down by the police but claimed that he had other sources in the Chembur refugee camp. Apte told Karkare and Madanlal to leave for Bombay immediately and to procure as many hand grenades and explosives as they could.

Bombay was home to the supreme leader of the Hindu Mahasabha, Vinayak Damodar Savarkar, the man who had instilled a hatred for Gandhi in his followers. The plan to kill, and the several failed attempts, on Gandhi's life carried out by the Poona Brahmins and the Apte-Godse gang had been endorsed by Savarkar, if not directly by issuing orders, then by inspiring through his vitriolic outburst of the need to save Hinduism from its enemy—Mahatma Gandhi. Gandhi's hold over the Indian masses had put the brakes on Savarkar's political career. After his compromise with the British, for all his efforts to be a national leader of the Hindus, Savarkar had been confined to being the leader of a few upper caste Brahmins of Maharashtra. This rankled an intrinsically hate-filled and bitter man, who had, all his life, practiced and preached the doctrine of violent revenge.

Vinayak Damodar Savarkar was born on 28 May 1883 in a small village called Bhagur near Nasik into a high caste Maharashtrian Brahmin family. Since his childhood Savarkar had a distinct hatred for Muslims. That part of Maharashtra comprising Savarkar's village had for centuries been inhabited by Muslims with almost every village in the surrounding areas having an evenly matched population of Hindus and Muslims. Savarkar formed a gang with children from his village and regularly attacked Muslims and got into brawls with Muslim ruffians. Over a period of time, this grew into stabbings and planned attacks on mosques. To his credit, Savarkar was a brilliant student, but everything he did had an undercurrent of hatred and violence. He wrote prose and poetry with equal expertise and could bring tears to the eyes of the reader. He used this talent to incite people.

During his teenage years, Savarkar was greatly influenced by the revolutionary anti-British movement in India. When he was fifteen, a sensational killing took place in Maharashtra. The Chaphekar brothers of Poona, incensed by the heartless and often brutal methods used by the British during the plague epidemic in Poona, planned and killed W.C. Rand, a British officer responsible for the brutality. The Chaphekar brothers were arrested and hanged by the colonial British administration. A whole generation of Maharashtrian youth were greatly influenced by their sacrifices. Savarkar was one of them.

In 1901 he was admitted to the Ferguson College in Poona. This was the time when Bal Gangadhar Tilak, the 'Lion of India' and a very eminent leader of the hawks in Congress, held sway. His fiery speeches were responsible for influencing many young people joining the anti-British movement. Tilak was the first political leader who recognised the power of religion in Indian politics and used it to bring about social unity. Savarkar was influenced by Tilak and he led many student agitations against the British, exploiting his oratory skills to the hilt. He organised a movement of undergraduates and graduates and called it Abhinav Bharat, 'Renaissance India'.

Even during this phase his pathological hatred of the Muslims continued. Savarkar was so blinded by his prejudices and hate that he failed to recognise that, to succeed in the fight against the British, the Hindus and Muslims of India would have to unite. Other Brahmin leaders had recognised this and Lokmanya Tilak was making efforts to reach an accord with the Muslims to bring them to the forefront of the anti-British movement. Savarkar paid a heavy price for his anti-British activities: the colonialists stripped him of his degree. Undeterred, with the help of eminent Indian leaders, he set sail for England to study and enrol at the Bar.

In London, Savarkar was, as were other Indian students, exposed to a lot of revolutionary influences. Savarkar joined Gray's Inn and four years later he qualified and was admitted to the Bar. During these years he was influenced by the Anarchist movement in Europe. He met, and fell in love with, a British woman Margaret Lawrence. He started a Free India Society which met once a week; from the members of this society he culled out those who, like him, believed in revolutionary methods. They secretly got in touch with other revolutionaries in France; contacted Russian anarchists and learned the science of bomb-making and use of arms. According to

Savarkar, a lot of funds were wasted on revolutionary conmen who, under the pretext of teaching them to make and use explosives, swindled them and took away their meagre cash reserves. At last they found a genuine Russian anarchist exile, who taught them the chemistry of explosives making and how to use them effectively.

During his stay in England, Savarkar wrote prolifically and many of his manuscripts were smuggled into India and published. He wrote regularly for a paper called *Talwar* (the sword), published from Paris. He translated the biography of Guisseppe Mazzini in Marathi, but it was banned by the government. He wrote a chilling account of India's First War of Independence, the 1857 uprising of the Indian soldiers.

Two chapters of Savarkar's book were stolen by British secret services and despatched to the colonial administration in India. The Indian administration banned it was even before it was fully written. It was finally published in 1907 by underground publishers. Before the Marathi original could be printed the British raided the publisher in Sholapur. The manuscript was smuggled out by Savarkar's friends in Poona and the English translation was published in Holland. The book became very popular in the expatriate Indian population in Western countries and many copies were smuggled into India. The British administration in India, alarmed by its contents, served an order prohibiting Savarkar from coming back to India.

The colonial administration of India confiscated many despatches by Savarkar and found bomb-making manuals and other revolutionary material. His home was raided and his family harassed. During a raid they found a stack of these manuals in the house of Savarkar's elder brother, Baburao. The Imperialist British occupiers of India needed just this excuse to prosecute Savarkar. They alleged that he was preparing to wage war against the Crown and country. Baburao was sentenced to transportation for life, which meant imprisonment in remote places of British India such as far-flung Rangoon and Mandalay in Burma and on the Andaman Island, at the infamous Cellular Jail at Port Blair off the east coast of India, or Kala Pani, 'place of the black waters', as it was known those days.

In 1909, in London, Madanlal Dhingra a member of Savarkar's Free India Society, killed Sir Curzon Wylie, the government prosecutor who had demanded and secured the penalty of death against Khudiram Bose and many other revolutionaries from Bengal. Savarkar organised a fund for

Dhingra's defence in London and opposed the statement issued by some Indian expatriates in London condemning his revolutionary act. He also lobbied for a fair trial for Dhingra. In India, the revolutionary movement was in ferment. In Ahmedabad a bomb was hurled on Lord Minto; in Nasik, a revolutionary shot and killed the British collector, A.M.T. Jackson, to avenge Baburao's prosecution. The British administration alleged that the gun had been sent by Savarkar from London. Sensing that his arrest was imminent, Savarkar, with the help of his friends, escaped to Paris. There was a small community of Indians living in Paris, and Savarkar tried to foment revolutionary fervour amongst them. However he began missing his love and tried to sneak into London for a secret rendezvous. He was not destined to meet her ever again.

Savarkar was arrested at Victoria Station and imprisoned at the Brixton prison where he was served an order of deportation to India. The Indian government had rescinded its earlier order prohibiting Savarkar from returning to India and decided to prosecute Savarkar on the charge of waging war against the King Emperor. Deputy Superintendent of Police C.I. Power from the Bombay police was sent to London accompanied by a posse. The Scotland Yard also deputed Detective Inspector Edward Josh Parker to accompany Power on the journey back to India. The group was booked to return on the SS *Maurea.* Savarkar was a maximum security prisoner and was accompanied and watched by his captors twenty-four hours. For undisclosed reasons the ship docked at Marseilles. Savarkar knew he had to escape. He was sure that he would either be sentenced to death or imprisoned for life on his return to India. Early in the morning he requested to be allowed to go to the toilet. Two constables stood outside the door while Savarkar went into the toilet unshackled. He bolted the door and covered the spy hole with his tunic. He squeezed himself out of the porthole, jumped into the sea, and began swimming towards the shore.

Savarkar reached French soil before the British police did. He was hoping to hide with his friends in Paris, but that was not to be. He was caught by a gendarme and handed over to his British pursuers. Savarkar's revolutionary life was over. On his return to India the British colonialists sentenced him to an unprecedented fifty years' sentence to be incarcerated in the Cellular Jail on the island of Port Blair.

Nobody was known to have survived Kala Pani. Savarkar, the revolutionary firebrand, did not survive either; after serving ten years, his

health and spirit were broken and he made his peace with the British government. He wrote several letters apologising for his inadvertent crimes against the British Crown and promised to be a loyal collaborator for the rest of his life in return for a pardon. This was a betrayal of the cause of independence and a slap in the face of the sacrifices made by the Indian revolutionaries. Many others at Port Blair endured daily floggings, starvation, unhygienic conditions and solitary confinement, but refused to be broken. Savarkar was not made of the same stuff. He surrendered to the British after only ten years and never in his entire life opposed them again. He emerged from the Cellular Jail a bitter religious zealot. Neither his bitterness nor his desire for revenge was directed towards the British; it was aimed at the Indian Muslims.

Ironically, after his abject surrender to the British, his supporters hailed him with the honorific title 'Swatantra Veer', the bravest warrior of freedom. In one of his several pleas for mercy he wrote: 'I hereby acknowledge that I had a fair trial and just sentence. I heartily abhor methods of violence resorted to in days gone by and I feel myself duty bound to uphold law and constitution (added by the British) to the best of my powers and am willing to make the "reforms" (initiated by the colonialist British) a success in so far as I may be allowed to do so in future'. This is a verbatim excerpt from a facsimile of Savarkar's letter to the British authorities. After his acceptance of the government's conditions for his release, he was brought to the mainland and kept in confinement in Ratnagiri. He was forbidden from attending any public or private political activity. Publishers had to guarantee that his manuscripts did not contain any political message or any anti-British comment before publishing them. In return the British provided him with a comfortable bungalow in the picturesque seaside town of Ratnagiri in western Maharashtra where he stayed till 1937.

During his journeys, Gandhi expressed a desire to visit Ratnagiri to meet Savarkar, but the administration rejected the application. Gandhi then sent Kasturba to meet him. It was in Ratnagiri that Nathuram Godse came under the spell of Savarkar. The seeds of Gandhi's murder were sown here.

For the rest of his life Savarkar never indulged in any anti-British activities. He supported them during the Second World War, along with his arch enemy Mohammad Ali Jinnah. Savarkar was the first Indian leader to publicly say that India could never be a united country; at the Ahmedabad convention of the Hindu Mahasabha he stated that there were two Indias—a

Hindu rashtra and a Muslim nation. This was much before the Muslim League voiced the demand for a separate Muslim homeland. Savarkar wanted to be the leader of the Hindu rashtra and did not care for what the Muslims did with their part of the country. One man stood between him and this dream of his—Mohandas K. Gandhi. Savarkar hated him for this. Under Gandhi, for the first time after the First War of Independence, the Hindu and Muslim communities had united for the cause of freedom. This worried the British greatly, knowing that if Gandhi's hold over the Indian masses was to be subverted, they would have to first foment communal trouble, and second, drive an unbridgeable divide between the Hindus and Muslims. For this, they needed Indians to do their dirty work. In Savarkar they found a committed ally. During his stay in Ratnagiri, he propagated the concept of an armed and militant version of Hinduism, not to counter the Britishers, but to fight and subjugate the Muslims. He motivated gullible youth to form armed commandos against the Muslims. He was greatly helped in his efforts by the destructive activities of the Muslim rulers of neighbouring Hyderabad state. Savarkar found it easy to exploit the resulting emotion to further his own cause. Savarkar and his supporters were incensed by the scuttling of separate electorates for untouchables, upper caste Hindus and Muslims, abandoned due to the fast undertaken by Gandhi in Poona.

In 1937 the first Congress-led provincial government of Bombay province released Savarkar unconditionally. He was taken on a whirlwind tour of Maharashtra by the Hindu Sangathana. He delivered lecture after lecture on the need for the creation of a warlike Hindu community, armed and ready to defend and also ready to attack and subjugate the Muslims. He became the president of the Hindu Mahasabha and continued to propagate intolerance and subjugation of other religions. In 1942 when Gandhi issued the clarion call for the Quit India Movement and implored all Indians to boycott the colonial administration, Savarkar issued a firman: 'I issue this definite instruction to all Hindu Sanghatanists in general holding any post or position of vantage in the Government services, that they should stick to them and continue to perform their regular duties loyally to the British government'.

To his loyal inner circle, Savarkar kept playing the Gandhi card, blaming him and the Congress for their friendship with the Muslims and their agitations against the British. Thus, amongst the fanatics that comprised

Savarkar's inner circle, some of whom commanded units of fanatical Hindu storm troopers, the message was loud and clear: 'If you want to establish a Hindu rashtra, get rid of Gandhi and subvert the Congress.' He encouraged the effort to assassinate Gandhi. It was after 1934 that the numerous attempts on his life occurred, all, in some way or the other, associated with Poona, the Brahmins of Poona, Apte and Nathuram Godse.

Till two days before Gandhi was killed, Godse and Apte lacked one of the most vital necessities to carry out the murder—a reliable firearm, which was then provided to them by Dr. Dattatreya S. Parchure from Gwalior. Parchure was born into a family of teachers. Originally from Poona the family had moved to the princely state of Gwalior. Dattatreya did his schooling and graduation from Poona and after a medical degree from Bombay University, he settled down in Gwalior. Although a qualified allopathic doctor, he practiced ayurveda and homoeopathy from a dispensary in the Patankar Bazaar locality of Gwalior. But his main activity was as the extremist leader of the local Hindu Mahasabha and as the self-styled dictator of the Hindu Rashtra Sena. They were very active during the partition in attacking, looting and murdering fleeing Muslims. The forty-seven-year-old doctor was a colourful character. His skeletal face sported flowing hair that cascaded on to wiry shoulders, and a long flowing beard hung down to his chest. Dull black eyes peered at faces from behind thick glasses that made his eyes look disproportionately magnified.

Parchure had built up the Mahasabha and his sena to make the former a formidable force in Gwalior politics and the latter a means to achieve dominance. He also received patronage from the ruler of Gwalior who turned a blind eye towards their acts of fanaticism and terror. Madanlal Pahwa, who had also started his quest for revenge from Gwalior, had on several occasions partnered with Parchure's sena in attacking and murdering fleeing Muslims.

Parchure was a quite a braggart. He liked to impress people with highly exaggerated accounts of his exploits, many of which he had maybe just heard about! As soon as word of Gandhi's murder reached Gwalior, Parchure publicly claimed to have been involved in the plot. He was arrested when reports of his boasting reached the administration.

Parchure had interacted with Godse often as an office bearer of the Mahasabha. In December 1947 they had attended a Hindu Mahasabha-RSS summit in Alwar, as well as a secret training camp to learn the use of hand

guns and other firearms. At one time they had been on the verge of merging the Hindu Rashtra Dal and the Hindu Rashtra Sena; the negotiations had ended in acrimony and bitterness when the two fought over the issue of the leadership structure of the unified body. But at a time when failure threatened the credibility of Nathuram Godse and Narayan Apte, Nathuram turned to Parchure for help in procuring a reliable firearm.

Parchure was a bitter and angry man. At the time of independence it was clear that the days of the princely states were numbered. In Gwalior there were two contenders for democratic administration, the Congress and the Hindu Mahasabha. The Mahasabha leadership had assumed that they would be invited to form the government by the king Jiyajirao Scindia, but for reasons best known to the ruler and his equations with the Union government, Scindia invited the Congress to form the government. The Congress refused to form a coalition ministry with the Mahasabha. Parchure, who as the leader of the Mahasabha had dreamt of becoming the chief minister of Gwalior, was left out in the cold. When Godse confided in him about their intention to kill Gandhi, Parchure found a release for his hatred. It was alleged that Parchure had received a large amount of funds to finance a campaign of destabilisation aimed at the Congress government of Gwalior. Two witnesses described to the court, the circumstances under which they had seen Parchure interacting with Godse and Apte. They said in their statements that, as active members of the Mahasabha, they had questioned Parchure about the plan of action against the injustice done to it. After his arrest, Parchure tamely decided to make a sworn confession of his involvement in the conspiracy to murder Gandhi. The magistrate who recorded his confession advised him against it since the confession would legally be enough to convict him in the murder. The Defence Committee, formed to provide proper defence for the accused, had refused to take on Parchure's case since they believed that, after his sworn confession, there was no way out for him. In court he turned hostile and alleged that he had been forced to sign a pre-written statement under the threat of death and ruination for him and his family. The judge rejected this as an afterthought and sentenced him to life imprisonment.

The last member of the gang was Gopal Godse, the younger brother of Nathuram. Gopal was twenty-seven years old at the time of the murder. Unlike his brother Nathuram, he was married and was the father of two daughters. Gopal hero-worshipped his elder brother and had followed in his

footsteps since his childhood. After completing his matriculation, he joined the Military Ordinance Service as a civilian clerk. At the outbreak of the Second World War, he volunteered for overseas service. In 1941 he was sent abroad along with the British Column to Iran and Iraq. He served with the PAIFORCE for the next three years and returned to India at the end of the war in April 1944. After being demobilised he went back to his old job, and was promoted to the post of assistant storekeeper, in the Ordinance Depot at Kirkee, on the outskirts of Poona. But one rather unusual action, by this person of very regular habits and stickler for the rules, confirms that he was a part of the conspiracies hatched by his elder brother. While resigning from the war-time commission, where he was issued a .38 Webley Scott revolver, he did not hand it in. Gopal would not have done this unless someone he trusted and respected had asked him to do so. Not wanting to keep the now illegal weapon with him Gopal made a trip to their ancestral home in Uksan and buried it under a guava tree in the courtyard, to be retrieved for future use.

Gopal lived with his family in a small two-room apartment he had rented behind the bazaar in Kirkee. At work he was meek, but when summoned by his elder brother, he would be ready for any action. He agreed to go back to Uksan to fetch the revolver for the Apte-Nathuram gang. When he dug up the Webley Scott from its shallow grave and carried it to Delhi, he became an accomplice in the conspiracy to murder Gandhi. After the failed attempt of the 20th, Gopal developed cold feet, and after delivering the .32 bore revolver to his brother Nathuram, he severed all contact with the gang and returned home, hoping that it was the end of his involvement. Speaking after his release from prison, Gopal gave a very theatrical account of his commitment to the Apte-Godse gang and their goal to murder Gandhi. 'After seeing Badge and Shankar running away without accomplishing the task of murdering the Mahatma on 20 January; the first thought that crossed my mind was to escape. But when I reached the taxi I found that the driver was not at the wheel. When I opened the rear door I found the guns hidden by Badge on the back seat.

'I was filled with uncontrollable rage. Instantly I decided that this was my chance to complete the task we had planned. I picked up my gun and rushed back to the servant's quarters. I entered Choturam's room, from where Badge was to have shot Bapuji. I rushed into the room and bolted the door from inside. It was then that I realised that the ventilator covered by

the lattice work grill was too high. I pulled a cot under the grill and climbed on top of it. I pulled out my .38 Webley Scott service revolver and prepared to shoot Gandhiji. But even after climbing on top of the bed I was barely able to reach only up to the bottom edge of the grill, this too after stretching to my maximum height on tip toes. There was no way I could have aimed the gun, and fired. I pulled myself up to the grill but to do this I needed both my hands and realised that I could not fire the gun from this position. Finally I gave up the attempt. When I tried to open the door I forgot that I had bolted it and desperately pushed it to open it, but the door would not budge. I was terrified, and thought this was it. I broke into a cold sweat. Then I felt new energy and superhuman strength coursing through my limbs I aimed a kick at the door, at the second kick the door flew open and I was free. Gathering my wits I calmly walked up to the taxi and got in.'

This story seems very far-fetched. That this foolhardy antic of Gopal went unnoticed is not likely. Immediately after the bomb explosion, the servants, some people attending the prayer meeting and the police constables had all rushed to the spot and arrested Madanlal. The eyewitnesses who had pointed out Madanlal as the bomber were standing in the courtyard of the servants' quarters. A woman, Sulochana Devi, who had seen the taxi arrive and the gang alighting from it, had also seen them talking to Madanlal. All this was happening in very close proximity to where Gopal claims to have carried out his attempt on Gandhi's life. If nobody noticed him going into the room, they would have definitely heard the banging on the door, it crashing open and a stranger emerging from the servant Choturam's quarter. The people surely would have, under the circumstances, detained him and handed him over to the authorities. But both Sulochana who was a key witness and whose testimony in the murder trial established the presence of the gang at Birla House, and the staff there, who helped piece together the events of the evening of the 20th, never mentioned seeing Gopal's antics. But they did see three men rush out of the compound, get into the car and the car being hastily driven away immediately after the blast.

This story narrated by Gopal seems to be an afterthought in trying to prove that he was not a mere camp follower but an equally committed fanatic dedicated to the cause of killing Gandhi.

Nathuram Godse would have never succeeded in murdering Gandhi if he had not been able to procure one of the most popular European close range

killers, the 9 mm Beretta automatic pistol. The important issue here is how a gunrunner from Gwalior acquired a foreign made automatic almost in mint condition. It was one of the most efficient guns for use at point blank range. The 9 mm bullets would cause maximum damage to its victim and would pass through the body at close range inflicting even bigger exit wounds, ensuring death due to shock and heavy bleeding if they failed to kill instantly. A frail man would never survive the wounds.

The 9 mm Beretta automatic, bearing the serial number 606824, was in excellent working order, almost brand new. It was the perfect weapon for the murder. It had travelled an improbable route, halfway across the world, to reach Birla House on 30 January 1948. Manufactured in Italy in 1934, the gun was carried by one of the officers of Mussolini's invading army into Abyssinia. When Mussolini's army in Abyssinia surrendered to the British, the Beretta was taken from its owner as a trophy of war by an officer of the 4th Gwalior Infantry. The pistol reached Gwalior with the commanding officer of the battalion, Lieutenant Colonel V.V. Joshi. On his return Joshi served as a military aide de camp to Maharaja Jiyajirao Scindia of Gwalior. How it came in possession of Jagdishprasad Goel is a mystery which has remained unresolved. Did Joshi sell it to a gunrunner? Why would Joshi sell a gun, which he had taken as a souvenir of a famous victory in battle? How Goel got hold of it has also remained a mystery. Goel, in turn, sold the gun to Dandavate, who purchased it on behalf of Nathuram Godse. Dandavate gave the fully loaded gun and seven additional rounds of ammunition to Nathuram on the evening of 28 January at Parchure's home.

On 30 January 1948, at 5.17 p.m., the Beretta was fired for the last time by Nathuram Vinayak Godse. Three 9 mm bullets emerged out of its short barrel in quick succession and hit Gandhi, traversing a distance of less than two and a half feet. Till today the gun remains locked up in a sealed steel cabinet at the National Gandhi Museum opposite Raj Ghat in Delhi. In 1997 I had an opportunity to handle the gun. The memory of that brief contact with the murder weapon fills me with revulsion.

There were three more people who were listed as accused in the Gandhi murder case, all three belonging to Gwalior, but the police was not able to capture them till the very end of the trial. These three fugitives had a very minor role in the conspiracy, largely of being witnesses. The police had established a very sound case against almost all the accused and the three

absconders did not really matter. The three were arrested sometime towards the end of the trial but the government did not prosecute them.

This was the diverse cast of characters who came together to carry out one of the most heinous acts in the history of India—the murder of a Mahatma.

3

THE PLOT

> *'Murder consists in making others suffer unto death, so that a murderer, or those others for whom he murders, may benefit'.*
>
> — MAHATMA GANDHI, 21 May 1925

In November 1947, Narayan Apte asked Badge for arms and ammunitions. Badge claimed that he did not have the weapons at that moment but would arrange for them soon. A few days later, Badge told Apte his order was ready. In the last week of December, Apte went to the Shastra Bhandar to ask Badge if the weapons that he had bought were still available. On being told that they were, Apte told Badge that a colleague, Vishnu Karkare, would collect them in a couple of days. It was only in the second week of January, however, that Apte sent someone to Badge. The events that followed from that day, 9-30 January 1948, would reshape the future of the newly independent nation.

FRIDAY, 9 JANUARY 1948

In Poona, Apte told Badge that Karkare and a couple of other people would inspect and purchase the arms.

At about 8.30 pm, three people along with Karkare were introduced to Badge at Shastra Bhandar. One of them was Madanlal Pahwa who told the others that he knew how to handle the explosives. After inspecting the weapons they left.

SATURDAY, 10 JANUARY 1948

Apte went to Shastra Bhandar, and at about 10 am he took Badge to the *Hindu Rashtra* office. There, in the presence of Godse, Apte asked Badge to supply them with two revolvers, two gun cotton slabs with primers and fuses and five hand grenades. Badge said he did not have revolvers but could immediately supply the gun cotton slabs and hand grenades. It was

agreed that Badge would try and get the revolvers and deliver everything to the Hindu Mahasabha office at Dadar in Bombay, by the evening of 14 January.

SUNDAY 11 JANUARY 1948

In Bombay, Madanlal Pahwa and Vishnu Karkare visited the residence of Dr. J.C. Jain. Madanlal knew Jain since the time he had been living as a refugee in the Chembur refugee camp in north-east Bombay. After spending a few minutes catching up with each other, Madanlal told Jain that he was going to leave for Delhi soon on an important mission. Without elaborating, they left, with Madanlal promising to meet the professor before leaving for Delhi.

MONDAY 12 JANUARY 1948

In Delhi, Gandhi had a meeting over tea with the governor general of independent India and its last viceroy, Lord Louis Mountbatten. The latter was very worried about the deteriorating communal situation in the entire north-west. As more and more refugees from West Punjab poured into Delhi and its outskirts, the government was finding it increasingly difficult to meet the demands for housing, warm clothing, food and potable water.

Muslims driven out of their homes had taken refuge in overflowing refugee camps in Chandni Chowk and the Jama Masjid areas, compounding the crisis. Hindu and Sikh refugees were demanding that the homes vacated by the Muslims should be given to them. People who had been left behind to guard the homes of Muslims were either driven out or killed by Hindu refugees and the homes forcibly occupied. Mosques were captured, idols of Hindu deities were installed and declared to be 'liberated' Hindu temples. This was an old Hindu Mahasabha-RSS tactic. The situation in Delhi was becoming more volatile with the spreading of stories of the atrocities committed on Hindu refugees in West Pakistan. The RSS and the Hindu Mahasabha, both of which had done nothing to prevent the partition, had now swung into action and were spreading stories of torture, rape, abduction, murder and forcible conversion of Hindus in Pakistan. The Muslim League was equally active in spreading the hatred. Ever since the 'Direct Action Day' called by Jinnah on 15 August 1946, which was very

brutally conducted by the storm troopers of the Muslim League, the massacre of Hindus in Muslim-dominated parts of India had been unparalleled, which had fanned the Hindu backlash to a great extent.

Mountbatten was worried. He knew that if Delhi were to go up in flames, India would be lost. He had seen the miracle performed in Calcutta and East Bengal by the man he often described as the 'Little Sparrow' and his 'One Man Peace-Keeping Force'. He hoped that Gandhi would perform another miracle to save Delhi and had decided to recruit his services at this meeting. However, there was another problem. Under the terms of Partition, India and Pakistan were to get a proportional share of the cash balance of undivided India. Of the cash balance of Rs. 3,750 million, Rs. 200 million was paid to Pakistan on the day of the transfer of power. After hectic negotiations by the Partition Committee, of which both Nehru and Patel were members, it was decided that Pakistan would be paid a further Rs. 55 crores; this was ratified by a treaty signed by Nehru and Patel with their Pakistani counterparts. Now Pakistan, on the verge of bankruptcy, was demanding the balance payment. Patel and Nehru felt that the payment should be withheld till the Kashmir issue was resolved. One suggestion was that the money not be paid at all but be used instead to resettle refugees.

Refusal to part with the balance amount would have been illegal. It would have also branded India as an untrustworthy country, which did not honour its treaties and commitments. If Pakistan dragged India to an arbitrator, India would be sure to lose. Mountbatten was India's governor general, but his loyalties were to the British throne; as the head of the government he would be party to any act by the Indian government. He did not want to be responsible for this deceit.

At the meeting with Gandhi, Mountbatten started by discussing the deteriorating communal situation in the capital and his fears of the situation exploding into a civil war. Gandhi, who had been getting reports of the situation and had been interacting with Muslims and Hindus, was perturbed; he was slowly beginning to realise that he would have to offer himself as a sacrifice to save the situation. He assured Mountbatten that he would soon take steps to see that the situation was not allowed to get out of hand. As Gandhi rose to leave, Mountbatten voiced his concern over the issue of payment to Pakistan. Gandhi listened to what he had to say about India's stand and its unsustainability as well its moral implications. He shook his head in displeasure and left.

That evening, at his prayer meeting, Gandhi dwelt on his concerns over the situation in the capital and the plight of the refugees. Muslim homes were being forcibly occupied and he sympathised with the plight of the homeless refugees. It was the duty of the government to provide housing. There was also the case of mosques being occupied and Hindu idols being installed in them. This was not the way he wanted his countrymen to behave, he said, and declared that he would be starting a fast unto death.

In Poona, the news of Gandhi's decision to fast was heard by two men sitting in the office of the *Hindu Rashtra* in Shaniwar Peth, a dense locality of old Poona —the editor and publisher of the *Hindu Rashtra*, Nathuram and Apte. The two hotheads of the RSS and Hindu Mahasabha decided that Gandhi's interference in the working of the Government of India was intolerable. If this man was not stopped, they thought, he would do irreparable damage to the fabric of the Hindu nation of their dreams. Apte looked at Nathuram and said, 'This is a good excuse for murdering Gandhi. The atmosphere is conducive and since we have Savarkar's blessings we are assured of getting backing and support. Our people are ready, this time we will definitely suceed.' Nathuram looked up at Apte, his eyes reflecting no emotion, and said, 'We must kill Gandhi this time.' They had tried earlier and failed, but this time they would not. This time they had support. They had a plan and the means to succeed. They had been looking to do something to reassure their financiers about their commitment to the Hindu supremacist cause. Their credibility with those who had been funding their anti-Muslim and anti-Pakistan plans was at its lowest; time and again they had promised much but failed to deliver.

TUESDAY, 13 JANUARY 1948

At Birla House in Delhi, Gandhi started his fast at 11.55 am with the singing of *'Vaishnava jana to tene kahiye'* 'Call him a true man of God who...' He was surrounded by members of his entourage and the Birla family.

Those who had watched Gandhi closely since his return in September to the 'city of the dead', as Delhi had come to be known, testified that never had he appeared as cheerful as he had after the commencement of the fast. This was the first time, in the long history of his fasts, that Gandhi did not insist on his close aides leaving to take up their predetermined

responsibilities. It was as if he had sensed that there was going to be a crisis during which he would require the presence of those he trusted. On a previous occasion, when he started a twenty-one day fast while staying with the Ali brothers, they asked him if it wasn't a breach of loyalty that he was going on a fast without consulting them. He replied, 'Have we not all pledged our loyalty to God? How can I then be guilty of disloyalty to anyone by keeping my covenant with God?' This time his friends knew better. Nehru and Patel were not going to insist on his abandoning the fast. As a matter of fact, Patel was upset with Gandhi's decision and Nehru was reluctant to take the lead in trying to help meet his conditions for ending the fast. Patel only sent a message before leaving for Ahmedabad and Bombay that he would do anything that Gandhi wished.

When asked by a Sikh friend, who he held responsible for his fast, Gandhi said he blamed no individual or community in particular. But he did feel that if the Hindus and Sikhs insisted on turning out the Muslims from Delhi, they would be betraying India and their own faith. His was an 'all-inclusive fast', directed against nobody in particular and yet addressed to the conscience of all. 'If all groups or even one of them responds fully,' he said, 'I know the miracle will be achieved. For instance, if the Sikhs respond to my appeal as one man, I shall be wholly satisfied. I shall go and then live in their midst in Punjab. I know they are a brave people and can set an example of the non-violence of the brave which will blaze the path for all the rest.'

Sheikh Abdullah, the prime minister of Kashmir, was visiting Delhi with his deputy, Bakshi Ghulam Mohammed at the time. They requested Gandhi to end his fast 'for the sake of Kashmir. Kashmir needs you now more than ever'. Gandhi told them that his fast was intended to cover Kashmir too. Maulana Azad, a close friend and associate, intervened and said, 'Even if we are to dash our heads against a stone wall, his resolve, once taken, won't be given up. To argue further with him is only to prolong his agony. The only thing for us to do is to begin thinking what we can do to fulfil his conditions which alone will induce him to give up his fast.' A deputation of Hindu and Sikh refugees came to meet him next. He told them that it was in their hands to make him terminate his fast. 'You should be able to give the assurance that even if the rest of India goes up in a blaze, Delhi will be safe. If you do not pay heed to my words now, you will all weep and wring your hands in sorrow afterwards.'

Ironically, on the day Gandhi started his fast, Lord and Lady Mountbatten were hosting a reception at Government House. Some people from Gandhi's retinue were also invited. They were unsure whether to go, but Gandhi convinced them otherwise. 'Mountbatten will probably want to discuss the fast with you,' he told Pyarelal. 'It would be worthwhile getting his reaction first-hand. In any case, you will be able to report whether any drinks were served at the function!'

On meeting Pyarelal at the function, Mountbatten immediately said, 'I have only one criticism to make. He should have discussed it first with Pandit Nehru.' That day shocking news had come in from Pakistan. A train bringing Hindu and Sikh refugees from the Northwest Frontier Province had been attacked at the Gujarat railway station in West Punjab. A large number of passengers had been massacred and women had been abducted. Referring to this incident Mountbatten remarked, 'It makes Mr. Gandhi's task more difficult. But his victory will be all the greater for it.' When Pyarelal reported the conversation, Gandhi said, 'Have I not often said, that one must be a great warrior to fully appreciate the power that is non-violence?' Quoting the Gujarati poet Pritam he said,'*Harino marag che shoorano, nahin kaayarnu kaam jo',* 'The path of the Lord is for the brave, not for cowards'. At the evening prayers he declared that he would break his fast only when conditions in Delhi permitted the withdrawal of the military and the police without any danger to peace.

In Poona, Nathuram Godse made changes to his life insurance policies. He nominated Champutai Apte, Narayan Apte's wife, as the beneficiary on a policy of Rs. 2,000 which was attested by Apte as a witness.

The final preparations by the gang had begun.

WEDNESDAY, 14 JANUARY 1948

In Delhi, as in other parts of the country, the festival of Makar Sankranti was being celebrated. In Maharashtra, people exchange sweets made from gur, (unrefined sugar) and sesame seeds. Prema Kantak, a Congress socialist, sent some homemade tilgul to Gandhi on the second day of his fast, who distributed it amongst the people present at Birla House. One day into his fast, Gandhi was being criticised by certain segments. Some people alleged that Gandhi had sympathy only for Muslims and had undertaken the fast for their sake. He answered that in a way they were right. All his life he

had stood up for minorities. The formation of Pakistan had deprived the Muslims of their pride and self-confidence, weakening the foundations of the state. But his fast was against the Muslims too, in the sense that it should enable them to stand up to their Hindu and Sikh brethren. To a maulana from Delhi, who a few days back had said that they should be given a safe passage to England, he said, 'I had no answer to give you then. I can now face you. Shall I ask the government to arrange a passage for you to England? I shall say to them: "Here are the unfaithful Muslims who want to desert India. Give them the facility they want".' The maulana apologised and Gandhi retorted, 'That would be like the Englishman, who kicks you and at the same time goes on saying "I beg your pardon".' On a more serious note he added, 'Do you not feel ashamed asking to be sent to England? And then you said that slavery under British rule was better than independence under the Union of India. How dare you, who claim to be patriots and nationalists, utter such words? You have to cleanse your hearts and learn to be cent per cent truthful. Otherwise India will not tolerate you for long and even I shall not be able to help you.'

The Cabinet met on the lawns of Birla House that afternoon and decided to reconsider their decision to withhold payment of the balance amount of Rs. 55 crores to Pakistan. This angered certain sections of Indian society. Although displeased with the Cabinet's decision to withhold payment, Gandhi had never once said in any of his announcements that it was one of the conditions for him to end his fast.

During that evening's prayer meeting, Gandhi spoke about the massacre of refugees at Gujarat in West Pakistan, and Hindus and Sikhs at Karachi. 'How long can the Union put up with such things? How long can I bank upon the patience of the Hindus and Sikhs in spite of my fast? Pakistan has to put a stop to this state of affairs. They must pledge themselves that they will not rest till the Hindus and Sikhs return and live in safety in Pakistan. Pakistan will become pak [pure] ... past things will have been forgotten, past distinctions will have been buried, the least and smallest in Pakistan will command the same respect and the same protection of life and property as the Quaid-i-Azam Jinnah enjoys. Such a Pakistan can never die. Then and till then shall I repent that I ever called it a sin, as I am afraid I must hold today, it is. I want to live to see the Pakistan not on paper, not in the oration of Pakistani orators, but in the daily life of every Pakistani Muslim. Then the inhabitants of the Union will forget that there ever was any enmity

between them and if I am not mistaken, the Union will proudly copy Pakistan and if I am alive I shall ask her to excel Pakistan in well-doing. The fast is a bid for nothing less. Who would not risk sacrificing his life for the realisation of such a dream? Then we shall have real swaraj. Then though legally and geographically we may still be two states, in daily life no one will think that we are separate. I remember to have read ... in the Delhi Fort ... when I visited it in 1896, a verse on one of the gates which when translated reads: "If there is paradise on earth, it is here, it is here". I would love to see that verse with justice inscribed on the gates of Pakistan.'

That night some Sikh refugees from West Punjab held a demonstration outside Birla House. They were angry that Gandhi was demanding that they vacate the homes they had captured by driving out Muslim inhabitants. They shouted in anger,'*Khoon ka badla khoon'*, 'Blood will be avenged with blood, an eye for an eye' and '*Marta hai to marne do, hame ghar do'*, 'If he is dying, let him die, give us homes' and '*Gandhi ko marne do'*, 'let Gandhi die'. Nehru, who was just leaving Birla House after a meeting, jumped out of his car and, trembling with rage, rushed at the demonstrators shouting, 'Who dares to shout "Let Gandhi die"? Let him who dares, repeat those words in my presence. He will have to kill me first.' The demonstrators dispersed in the face of Nehru's ire.

Inside his darkened room Gandhi asked, 'What are they shouting?'

'They are shouting "let Gandhi die".'

'How many are they?'

'Not many.'

Gandhi sighed, and as was his habit, started repeating the name of Lord Rama.

Ever since the Calcutta killings of August 1946, Gandhi had been telling Muslims that, if they continued to sit on the fence instead of courageously denouncing the excesses of their co-religionists, even at the risk of their lives, or if they harboured secret sympathy with the perpetrators of those excesses, it would bring down upon them the wrath of those with whom—Pakistan or no Pakistan—the bulk of them must live. But his warnings had largely fallen upon deaf ears with the unfortunate result that the Indian Muslims, having allowed the proverbial wind to be sown, were now faced with the prospect of having to reap the whirlwind. At the commencement of his fast he had told a group of maulanas, who came to request him to reverse his decision, that if happenings like the recent massacre of the

Hindu and Sikh refugees on the train in Gujarat continued unchecked, 'Even ten Gandhis would not be able to save the Indian Muslims.'

In Poona, Nathuram made changes to his second life insurance policy. He nominated Sindhutai Godse, his younger brother Gopal Godse's wife, as the beneficiary to a policy of Rs. 3,000.

That afternoon Apte and Godse left for Bombay by the Deccan Express. The train left Poona at 4.30 pm. They were seated in the second class compartment. Badge, disguised as a sadhu, accompanied by his servant Shankar Kistayya carrying the explosives and detonators, travelled by the same train, sitting in the crowded third class compartment.

Apte saw a pretty lady looking for a window seat. He chivalrously offered her his seat and shifted to the one opposite her, next to Godse. The young lady was Shanta Modak, a film actress popularly known as Bimba. Narayan chatted with her throughout the four-hour trip to Bombay.

During the course of the conversation, he mentioned that they were going to alight at Dadar and go to a place near Shivaji Park. Apte suggested that they drop Bimba. Bimba had arranged for her brother to pick her up at Dadar, so she offered Apte and Godse a lift. On learning that they were going to Savarkar Sadan, Veer Savarkar's home, Bimba told them that her house was virtually next doors. While Badge and Shankar Kistayya alighted at Dadar and proceeded straight to the Hindu Mahasabha office to deliver the goods, Apte and Godse drove down to Savarkar Sadan with Bimba and her brother. After a while, they proceeded to the Hindu Mahasabha office. Apte and Godse met them on the staircase as Badge and Kistayya were going down for a cup of tea. All of them then proceeded to Savarkar Sadan with the arms. Badge was carrying the bag containing the explosives and detonators. Badge and Kistayya were made to wait outside while Apte and Godse went in with the bag of explosives. They came out after about fifteen minutes still carrying the bag. All of them got into a car and proceeded to Dixit Maharaj's house in Bhuleshwar, an old business district in south central Bombay.

Dixit Maharaj's real name was Mahant Shrikrushna Jivanji Maharaj. He was the younger brother of Dada Maharaj, the mahant of the Mota Mandir. Dixit was a religious leader of the Pushti Marga Vaishnava sect, a sub-caste of the Vishnu worshippers in Hinduism, a community of baniyas or traders. The brothers claimed to be decendents of the founder of the Vaishnava sect Vallabhacharya. Dada Maharaj and his brother were known to be financiers

of extremist Hindu activities and had in the past financed attacks carried out against Muslims. Various plans hatched by Apte had won their approval, and so he was sure he could enlist their support for their final act. Dixit also knew Badge since he had purchased stab-proof chain mail vests from him; he had also asked Badge to develop a similar bullet-proof vest for him.

When they reached his home Dixit Maharaj was asleep, so Apte left the bag of explosives with a servant, telling him to keep it in a secure place and that they would collect it later.

The four then drove to the Hindu Mahasabha office. Apte gave Badge Rs. 50 towards travel expenses and asked him and Kistayya to stay in the office premises. Apte was eager to get rid of the two so he could meet Manorama.

As was typical of the two, who tended to allow themselves more luxury than the other gang members, Apte and Godse had checked into the Sea Green South Hotel on Marine Drive, on the fringe of the business and government district.

When Badge and Kistayya entered the Hindu Mahasabha office they saw Madanlal Pahwa. After greeting each other, Badge inquired about Karkare. Pahwa told him that Karkare (in his Punjabi-accented Hindi, Pahwa called him 'Karkara Seth') was visiting relatives in Thana, a town near Bombay, and would be back either late that night or the next morning.

Meanwhile, Pahwa had visited Dr. Jain that afternoon and apprised him of the work his group had done in Ahmednagar. At this point Angad Singh, a friend who was visiting Dr. Jain, got up to leave. Pahwa went on to boast that he was a part of a group who were going to Delhi on an important mission. On being coaxed he said their mission was to kill a very important leader for which they had procured bombs and weapons. He said that Karkara Seth, who had accompanied Pahwa on his previous visit, was the financier. Pahwa claimed that he was entrusted the job of exploding a bomb at Gandhi's prayer meeting to create confusion. Taking advantage of the confusion the rest of the group would 'overpower' Gandhi. Jain did not take Pahwa seriously as he knew him to be a braggart.

Dr. Jain, in his statement, said he spoke to Angad Singh the next day about what Pahwa had said, and the both of them concluded that Pahwa was just bragging.

THURSDAY, 15 JANUARY 1948

At Birla House, on the third day of his fast, Gandhi's condition was deteriorating. He had become weak and had to be carried to the bathroom on a chair. A medical bulletin issued by three physicians, Drs. B.C. Roy, Jivraj Mehta, and M.D.D. Gilder, who had examined him, stated: 'Gandhiji is naturally losing weight, the weakness has increased. The voice is feeble. Acetone bodies have appeared in his urine'. This implied that the disintegration of the body-tissue as a result of fasting had begun to fill the blood stream with toxins. He had entered, what in medical terms was referred to as the 'danger zone'. What alarmed the doctors was that his body was not maintaining the water balance: as against an input of sixty-eight ounces of warm water it had eliminated only twenty-eight ounces. In other words, his kidneys were failing.

But the spirit was still lively. In a letter to Mirabehn, Gandhi joked: 'I am taking my meal such as a fasting man with prescribed food can take. Don't be shocked. The food consists of eight ounces of hot water sipped with difficulty. You sip it as poison, well knowing that in result it is nectar. It revives me whenever I take it. Strange to say, this time I am able to take about eight meals of this poison-tasting but nectar-like meal. Yet I claim to be fasting and credulous people accept it! What a strange world!'

He was too weak to walk to the prayer ground that evening so a microphone was hooked up in his room by his bedside. Gandhi's voice was barely audible as he spoke to the people gathered there to hear his daily speech. After the prayers his cot was placed on the veranda from where he could be seen by the people outside. He lay on his side covered by a white woollen shawl, his hands folded in a namaskar, and his face sad, pensive but serene at the same time. When the people saw him, they realised that they would have to act fast. Deputations of Hindus, Muslims and Sikhs and others assured him that they would live in peace and harmony; a deputation of refugees from the Frontier Provinces assured him that, inspite of suffering immensely, they would not retaliate.

Addressing a rally of more than 10,000 Hindus, Sikhs and Muslims, Nehru said, 'The loss of Mahatma Gandhi's life would mean the loss of India's soul, because he is the embodiment of India's spiritual power.... Like a prophet, he has realised that communal fighting, if not checked immediately, would bring about the end of freedom.'

In many of his prayer meetings after the carnage that followed the Muslim League's Direct Action Day on 14 August 1946, and more so after Partition, Gandhi had held the Muslim League responsible for spreading hatred and igniting communal passions in both parts of India. Shuaib Qureshi, a close friend of his, protested that this criticism was unjustified. But Gandhi felt that in these trying times, he would call a spade a spade and not sugar-coat the issue for diplomatic niceties. He told Qureshi that he was unrepentant about blaming the Muslim League for the present state of affairs. 'I cannot in all honesty absolve it. Nor must I in this crisis mince words or keep back things, which might displease others. I say further, that those who cannot appreciate this side of my nature cannot well associate themselves with the prayer for the successful termination of my fast. It is the privilege of friendship to speak out the truth even though it might sound unpleasant to the ear, in the hope that genuine friendship will survive.'

On the third day of the fast the Government of India, in a communique, announced that it had decided to immediately pay Pakistan the balance sum of Rs. 55 crores. It said: 'The Government have shared the world-wide anxiety over the fast undertaken by ... the Father of the Nation. In common with him they have anxiously searched for ways and means to bury the hatchet of ill will, prejudice and suspicion, which has poisoned the relations of India and Pakistan. Impelled by the earnest desire to help in every way open to them in the objective which Gandhiji has at heart, the Government have sought for some tangible and striking contribution to the movement for ending the physical suffering of the Nation's soul and to turn the Nation's mind from the present distemper, bitterness and suspicion to constructive and creative effort. The Government are anxious to remove as far as possible, without detriment to the national good, every cause which leads to friction between India and Pakistan....'

Gandhi's fast had also come on the eve of the crucial meeting of the United Nations Security Council that was to discuss the Kashmir issue. He was asked if his fast would not have the effect of overshadowing the refugee train massacre at Gujarat and the Karachi riots in which a large number of Sikhs had been killed. The representatives of Pakistan would not be worth their reputation, he was told, if they did not seize the opportunity with both hands to prejudice India's case in the eyes of the United Nations. Gandhi answered that he was not in the habit of allowing himself to be deflected from the pursuit of truth by such considerations. His fast was

intended to embrace and purify even the UNO. 'For all I have known of the powers and people outside India, I make bold to say that the fast has created only a healthy impression. Outsiders who are able to take an impartial and unbiased view of what is happening in India cannot distort the purpose of the fast... the United Nations know that my fast aids them to come to a right decision and to give the right guidance to the newly-made two Dominions.'

In Bombay, at about 7.20 am, Apte and Godse reserved two seats on the afternoon flight from Bombay to Delhi for 17 January under the assumed names 'D.N. Karmarkar' and 'S. Marathe'. After booking their flight, they went to the Hindu Mahasabha office in Dadar and met Madanlal, Kistayya and Badge. Apte asked them to come with him; since Pahwa was not ready, he was left behind. The four proceeded to Shivaji Printing Press where they met Karkare. The press belonged to G.M. Joshi of Thana, a family friend of Karkare; this is where he had stayed the previous night. Kistayya was asked to wait outside, Badge was left in the reception area and Apte, Godse and Karkare went into Joshi's personal cabin. The meeting—the agenda of which was to seek funds from Joshi—lasted for thirty minutes. The five then came back to the Hindu Mahasabha office. Karkare asked Pahwa to pick up his bedding and accompany him. Apte got a taxi and all of them, except Kistayya, drove to Dixit Maharaj's house.

When they entered the house, Pahwa left the bedding in the hall and they all went to the sleeping quarters where Dixit was resting. The bag containing the explosives was called for. Badge showed the arms to everybody and demonstrated the use of hand grenades. Dixit saw that Badge was making a mistake and demonstrated the proper method. Then Apte handed the bag to Karkare and told him and Madanlal to proceed to New Delhi that evening.

Apte asked Dixit if he could get two revolvers from him. Dixit said that he did not have any just then but would try and get them. Apte, Godse and Badge then came out of Dixit's house and stood in the courtyard of the temple. Here Apte asked Badge if he would accompany them to Delhi along with Kistayya. Apte told Badge that 'Tatyarao' (in Marathi it implies father's elder brother and is used as an honorific title of respect; this was how as Veer Savarkar was known in the Hindu Mahasabha circles) had decided that Gandhi, Nehru and the senior leader from Bengal Hasan Shaheed Suhrawardy must be 'finished'. He had entrusted the work to Apte and Godse. Badge agreed to accompany them.

The Apte-Godse gang now had their shooter.

Badge wanted to return to Poona before leaving for Delhi as he had unfinished business to attend to. Nathuram also wanted to visit Poona to meet his brother Gopal. Gopal was supposed to get a gun for him and Nathuram wanted to ensure that he had done so. Apte, Godse and Badge then drove down to the Cotton Exchange Building near Pydhonie, an old trading district of south-central Bombay. Apte and Godse went inside leaving Badge outside. To meet the mounting expenses, the Apte-Godse gang was trying to collect funds from known sympathisers. They came out after fifteen to twenty minutes and proceeded towards the Hindu Mahasabha office. Badge got off there; Apte told him to meet them at the Victoria Terminus railway station on the morning of 17 January. Apte and Godse then drove away.

That evening, when Badge visited the Mahasabha office to pick up Kistayya and their luggage, he met Madanlal Pahwa who told him that they had missed the Punjab Mail to Delhi. He mentioned that Karkare was organising tickets for them to travel by the night train to Delhi. They eventually managed two third-class seats on the Peshawar Express, a train that used to travel from Bombay to Peshawar in the North-Western Frontier Province of undivided India. Now the train no longer went beyond the borders of India. The train left Victoria Terminus station at its scheduled time at 9.30 pm.

The first two members of the gang were on their way to Delhi.

Badge and Kistayya left for Poona by the Madras Mail, which left an hour later from the same station. Nathuram Godse also left for Poona that evening.

Apte was the only one who stayed back in Bombay. He wanted to spend a few days with Manorama. Apte told her he was about to leave on a secret mission from which he would possibly not return. Manorama was shattered: the man whom she had trusted was abandoning her for some mysterious mission. Her family would be dishonoured and ostracised.

FRIDAY, 16 JANUARY 1948

In Delhi, Gandhi's condition was slowly reaching a critical stage. His vital signs were slowing down; doctors attending to him were worried about his failing kidney function. His weight, which had dropped by two pounds on

the first two days of the fast, had now remained steady at 107 pounds. Their worry was not about a sudden collapse but long lasting and irreparable damage to his vital organs. But Gandhi was not going to give in to their pleadings. 'My sole guide, even dictator, is God, the Infallible and Omnipotent.... If he has any further use of this frail body of mine he will keep it, in spite of the forebodings of the medical men and women. I am in His hands. Therefore ... I dread neither death nor permanent injury .... But I do feel that the warning of the medical friends should—if the country has any use of me—hurry the people to close their ranks. Like brave men and women that we ought to be under hard-won freedom, we should trust even those whom we may suspect to be our enemies. Brave people disdain distrust.' The last was addressed to those who feared that the money given to Pakistan would be used to sustain the military aggression against India in Kashmir.

Reacting to a suggestion that, since the government had agreed to pay the balance amount to Pakistan immediately, he should withdraw his fast, he said that the reasons for which he had started the fast remained unaddressed. The killings had not stopped. Much more needed to be done before he would even think of breaking his fast. 'The hearts had not changed, the hatred was still there.'

That evening, addressing the prayer congregation from his bed, Gandhi said that his vow would be satisfied if the Hindus, Muslims and Sikhs of Delhi achieved a union of hearts. The fittest answer to his fast should be 'a complete friendship between the two Dominions such that members of all communities should be able to go to either Dominion without the slightest fear of molestation .... It will be wrong for the rest of the two Dominions to put too heavy a strain upon Delhi. Our government has taken a liberal step without counting the cost. What will be Pakistan's counter gesture? The ways are many if there is the will. Is it there?' he asked.

Patel had to leave for Saurashtra on an important engagement that day, but was reluctant to leave the capital. Gandhi insisted that he go, which led to the speculation that the Home minister was leaving Delhi to show his displeasure with the decision of the government and the fast undertaken by Gandhi. Gandhi had defended Patel's actions time and again, which had wounded the self-respect of the Iron Man of India. In the wake of the sustained campaign being carried out against him by the Nehru lobby in the

Congress, Patel offered to resign from the government in a letter he addressed to Gandhi before leaving for Saurashtra.

Badge and Kistayya arrived in Poona early in the morning. Badge took the last of his stock of weapons and handed them over for safekeeping to his regular customer and friend Ganpat S. Kharat, a Congress member of the State Legislative Assembly. Badge also had to dispose of his property in his native village, Chalisgaon. The deal had been fixed and Badge wanted to complete the formalities before leaving for Delhi.

In the meantime Nathuram had also arrived. He had gone to Shastra Bhandar looking for Badge twice. On his return that evening, Badge went to the *Hindu Rashtra* office and met Nathuram. Nathuram took out a small pistol and requested Badge to exchange it for a bigger and more effective gun. Badge had recently sold a .32 calibre revolver to Sharma, a member of the Hyderabad State Congress, who agreed to exchange his gun for a small payment. He also gave Badge four cartridges. The pistol was of .32 bore but the cartridges were of a slightly smaller calibre, most probably meant for a magazine loading gun. Badge was unaware of the mismatch.

At the Kirkee Arms Depot, Gopal Godse had put in another application for casual leave from 17 January till 23 January 1948. This time leave was sanctioned.

Gopal had promised his brother he would retrieve the military issue revolver he had hidden at their ancestral home in Uksan. Nathuram gave Gopal Rs. 250 for the gun and for his journey to Delhi, and told him to meet Apte and him at the Delhi railway station on the 18th. Gopal assured his brother that he would retrieve the revolver on Friday evening from Uksan he be in Bombay on Saturday in time to catch the afternoon Punjab Mail to Delhi.

The gang was now armed and ready to strike.

SATURDAY, 17 JANUARY 1948

In Delhi, Hindu and Sikh refugees and then Nehru, met Gandhi followed by Nehru, who implored him to give up his fast since the situation in the capital was rapidly improving. Gandhi told them not to be in too great a hurry. 'Whatever you do should ring true. I want solid work.'

That day Gandhi had received a telegram from Karachi. Muslim refugees, who had been driven out of their homes from Delhi, wanted to

know if they could now come back and reoccupy their homes. 'This is the test,' Gandhi said on reading the telegram. His representatives fanned out with the copies of the telegram to every Hindu and Sikh refugee camp and explained to the people what they would have to do to make Gandhi break his fast.

By evening, 10,000 refugees had signed a declaration that they would welcome the Muslims, even if they themselves suffered Delhi's biting cold winter in ill-equipped refugee camps. They gave their full assurance to Gandhi that they would welcome the returning Muslims and would work for peace, goodwill and communal harmony. They pleaded with Gandhi to break his fast to save India from misery.

Their hope was further strengthened when the Delhi administration announced that, within a week's time, every non-Muslim refugee in Delhi would be provided with some kind of shelter. Nehru and some of his Cabinet colleagues threw open the gates of their official bungalows to refugees. Gandhi had suggested that the palatial bungalows vacated by the British and now occupied by Union ministers and bureaucrats be used to house refugees, and that the Government House, the former viceroy's palace, be converted into a hospital for refugees.

The Maharaja of Patiala assured Gandhi that he had met all the Sikh leaders of Delhi, who had given him their word that they would spread the message of communal harmony and brotherhood in the city. Patiala had witnessed some of the worst atrocities committed on its Muslim populace, but the Maharaja claimed innocence. The Nawab of Maler Kotla visited Gandhi and told him how, during the disturbances, when some of the Muslim refugees in his state had begun to threaten the local Sikhs, he had announced that for every Sikh killed in Maler Kotla he would shoot ten Muslims. 'Not a single incident occurred after that.' One of his ancestors had courageously stood up to the Mughal emperor Aurangzeb when the latter had declared his intentions of killing the sons of one of the Sikh gurus. Since then Sikhs all over had always given asylum to Muslims from Maler Kotla and vice versa. The Nawab said that, during the post-partition riots, Maler Kotla was a sanctuary for Sikhs and Hindus. Similarly, when Muslims travelling anywhere through Punjab, during the troubled times, proved that they were from Maler Kotla, they were given protection by the Sikhs. When Gandhi heard this he said, 'So my dream for India has come true in Maler Kotla.'

During his prayer meeting that evening, he said that the number of telegrams he was receiving was increasing. There were many telegrams from Pakistan too. They were good so far as they went. But as their friend and well-wisher he was bound to tell those who were moulding Pakistan's destiny, that if they failed to see and admit the wrongs for which it was responsible, they would not be able to make that country permanent. He had accepted partition as a *fait accompli* and added that he would not mind all of India becoming Pakistan if Pakistan meant what its name implied—the land of the pure. That did not mean he approved of partition or '... a voluntary reunion, but I wish to remove and resist the idea that Pakistan should be reunited by force of arms. I hope that this will not be misunderstood as a note of discord. Whilst I am lying on what is truly a deathbed, I hope all Pakistanis will realise that I would be untrue to them and to myself if from a sense of weakness and for fear of hurting their feelings, I failed to convey to them what I truthfully feel. If I am wrong ... I should be told and, if I am convinced, I promise that I shall retract what I have said here. So far as I know the point is not open to question.'

He warned the people of India as well that they should not act under the pressure of the fast. 'What a spiritual fast does- ... is a cleansing of the hearts. The cleaning, if it is honest, does not cease to be when the cause, which induced it, ceases .... It ceases only with one's death .... Neither the rajas and maharajas nor the Hindus and Sikhs or any others would serve themselves or India ... if at this, what to me is a sacred juncture, they mislead me with a view to terminating my fast. No one need disturb this happy state, unless he can honestly claim that in his journey he had turned deliberately from Satan towards God.'

Towards the evening, nausea set in. Gandhi had become increasingly restless since the afternoon. One of the doctors in attendance suggested that he should add an ounce of orange juice to the water. Gandhi replied that in that case he would have to fast for another twenty-one days, commencing from the day he starts adding orange juice in his water. Another doctor suggested cupping over the kidneys to induce them to function and Gandhi replied, 'I appreciate your affection but let me die if die I must.'

'But is not cupping, too, a kind of fomentation which you have not ruled out under nature cure?' the doctor persisted.

'That is how we slip from our resolves,' replied Gandhi. 'Rama naam alone is now my nature cure.'

Even during his fast Gandhi did not deviate from his routine which began with the first prayer at 3.30 am. That morning he dictated a letter to Richard Symonds, whom he had taken as a patient in Birla House and nursed through an attack of enteric. After his daily practice of the Bengali alphabet, he had the morning papers, important letters and telegrams read out to him, followed by a medical check up, massage and bath till 10.30 am. He then dictated his statement to Pyarelal on the Government of India's decision on the release of Pakistan's share of the cash balances while lying in the bath tub. Between 10.30 am and midday he received seven visitors, including three ruling chiefs of states. Between 12.30 pm and 3.35 pm he rested, followed by his regular nature cure routine, and held serious discussions with ten visitors, including Nehru, Maulana Azad and four maulanas of Delhi. After the evening prayers he received a big crowd of people, including one maharaja, one chief minister and nearly half a dozen ministers of the Central Cabinet.

The doctors' bulletin that day sounded a grim warning: 'In our opinion, it would be most undesirable to let the fast continue. Therefore, it is our duty to tell the people ... to take immediate steps to produce the requisite conditions for ending the fast without delay'.

That evening, breaking with tradition, Lord and Lady Mountbatten paid an impromptu visit to Gandhi; he greeted them with a quip, 'It takes a fast on my part to bring the mountain to Mohammed!' It was more than a personal visit: Mountbatten later said that, apart from the natural anxiety he felt for the health of a friend, he was anxious to give an indication to the world—and to Gandhi— that he was with him in the object of his fast.

Non-Muslim shopkeepers visited Gandhi to assure him that they had lifted the boycott and Muslims were free to come to their shops. Subzimandi, the vegetable market in Delhi, had witnessed some of the worst atrocities, and Muslims in this area had been subjected to an economic boycott.

Addressing a rally, Maulana Azad said that Gandhi had laid down seven conditions which had to be fulfilled. His fast would end when responsible people from all the concerned parties, who could guarantee their proper fulfilment, signed a pledge to fulfil these conditions. 'He must not be given false assurances,' the Maulana warned. 'If we can perform what he called upon us to do, then alone can we go to him and ask him to give up his fast. Otherwise it would be better that we leave him in the hands of God.'

A Central Peace Committee, consisting of 130 members representing all communities, was formed under the chairmanship of Dr. Rajendra Prasad who had succeeded Acharya Kripalani as Congress president upon the latter's resignation. The committee held its first meeting that evening at Dr. Prasad's residence and adopted a resolution assuring Gandhi that they would do all that was in their power 'to create, establish and maintain the spirit of peace, harmony and brotherhood between all communities'. The representatives of the Hindu Mahasabha and RSS, known for their extreme communal stance and inciting communal hatred, were not present. In their absence their friends gave a guarantee on their behalf. This sounded rather suspicious but some felt that, as time was running out, an attempt should be made to persuade Gandhi to end his fast on the basis of the committee's resolution without waiting for the absentees' signatures. Pyarelal, who represented Gandhi at the meeting, knew that time was short but also knew that Gandhi would not accept a resolution that was not guaranteed by all. He warned Dr. Prasad, who agreed with him. The meeting ended with a decision that emissaries would be sent to convince the absentee members to sign the resolution.

When Pyarelal returned to Birla House the mood was gloomy. Gandhi's condition had worsened during the latter part of the evening and he had frequently slipped into delirium. His doctors were worried about the deteriorating condition of his kidneys. After failing to wake him up by calling out to him, Pyarelal gently shook him several times. Gandhi finally opened his eyes and very attentively listened to the report of the meeting. As anticipated he refused to accept an incomplete assurance. He reiterated that nothing should be done in a hurry to make him break his fast. He warned that the penalty for a breach of the undertaking given to him would be nothing less than the forfeit of his life by an unconditional fast unto death on his part.

Meanwhile, Nathuram, Badge and Kistayya had arrived in Bombay that morning. They had travelled separately; Godse had taken an earlier train and Badge and Kistayya had travelled together later. Badge, having asked Kistayya to get off at Dadar and wait for him at the Hindu Mahasabha office, alighted at Victoria Terminus station. Apte and Godse were waiting for him at the entrance. They were delighted to know that Badge had managed to exchange the small pistol for a more effective handgun.

The trio took a cab and first proceeded to the Sea Green South Hotel to pick up a tearful Manorama Salvi. They dropped her off near her home in Byculla in central Bombay.

In order to raise funds for their mission, the gang proceeded to visit various known sympathisers who had previously funded them. Some of the people they approached and received funds from under various pretexts were Charandas Meghji, an industrialist, Ganpatrao Afzalpurkar and Mahadeo G. Kale. The gang then paid another visit to Dixit Maharaj to try and convince him to give them his revolver. Dixit told them he would part with the gun if they could pay its market value; the gang left empty-handed. This time they were not very disappointed since they already had two revolvers.

Apte, Godse and Badge next went to the Hindu Mahasabha office and picked up Kistayya. They then proceeded to meet their patron and inspiration V.D. Savarkar. On reaching Savarkar Sadan, Kistayya was told to wait outside by the kerb while Apte, Godse and Badge entered the house. Badge was left in the hall on the ground floor, and one of Savarkar's attendants escorted Apte and Godse to the first floor room to meet with 'Tatyarao'—V.D. Savarkar.

After about ten minutes the duo came down with Savarkar and, after seeking his blessings, the trio left. Outside a beaming Apte told Badge that 'Tatyarao' had blessed their mission and said, in Marathi, 'Yashasvi houn ya', 'Succeed in your mission and come back'.

The four of them got into the taxi and proceeded towards Juhu airport as Apte thought that their flight to Delhi would be from the Juhu Air Strip used by a flying school. Instead their flight was to take off from Santa Cruz domestic airport. On the way Apte proudly told Badge in Marathi, 'Tatyarao ni ase bhavishya kele ahe ki Gandhijichi shambhar varsha bharli, ata aple kam nishchit honar yat kahi sanshay nahi', 'Tatyarao has predicted that Gandhiji's hundred year life will now end. There is no doubt that our work will be successfully finished'.

On reaching Juhu Air Strip they realised their mistake and rushed to Santa Cruz domestic airport, then situated at Kalina, on the eastern side of Santa Cruz. They reached just as the flight was about to leave. Apte and Godse were the last to board. The flight travelled to Delhi via Ahmedabad and to their surprise they found Dada Maharaj travelling by the same flight. At the Ahmedabad terminal, Dada Maharaj chided Apte saying, 'You talked

big but have not achieved anything.' Apte replied, 'When we do the work you will come to know.'

Before leaving Apte had given Badge Rs. 350 and asked him to proceed to Delhi with Kistayya by the evening train. Badge and Kistayya travelled by the same taxi, driven by Aitappa Kotian, to Kurla, an eastern suburb of Bombay, to collect some money. After collecting the money they drove to Kurla suburban station. Here Badge insisted that Kotian sign a receipt for the taxi fare of Rs. 55. It was a princely sum for a day's business for a taxi driver those days and Kotian remembered all the passengers who travelled with him that morning.

Apte had assured Badge that they would meet him at the Delhi railway station, but if they could not, the two were to proceed to the Hindu Mahasabha Bhavan.

The gang leaders were now on their way to Delhi.

At noon that day, Karkare and Pahwa, carrying the explosives and hand grenades, reached Delhi. They got talking to a fellow traveller, Shantaram A. Amchekar, a Maharashtrian refugee who was going to Delhi to get his government job reassigned to the Government of India. Before Partition, he had worked at a government post at Karachi, in what had now become Pakistan.

In his zeal to help refugees, Karkare took Amchekar under his wing and offered him their hospitality in Delhi. They first proceeded to the Hindu Mahasabha Bhavan but could not find accommodation there. They got into a tonga and went to Chandni Chowk in old Delhi. They checked into Sharif Hotel at Fatehpuri and took a room with three beds. Karkare signed the hotel register under the name B.M. Bias in Hindi. Amchekar, who signed after him, did not notice this. Madanlal signed his real name in English. They were given Room 2.

Since Karkare had work in Delhi he left Pahwa and Amchekar at the hotel. That evening Pahwa took Amchekar to meet his relatives, as he had to meet a prospective bride there. On the way back they stopped at a public meeting being addressed by Jayprakash Narayan. Pahwa shouted slogans heckling JP, demanding to know why, if he was not allowed to address rallies in Bombay, he was speaking to refugees here. Before the police could catch him, Pahwa melted into the crowd and, along with an alarmed Amchekar, reached Sharif Hotel and retired for the day. Surprisingly, Karkare did not return that night.

Apte and Nathuram reached Delhi the same evening. They drove to the Marina Hotel in Connaught Place where Apte and Godse checked in under assumed names—'M. Deshpande' and 'S. Deshpande'. They were assigned Room 40 on the third floor of the hotel. After checking in, they went to the Hindu Mahasabha Bhavan where Karkare was waiting for them. Returning to the hotel, Karkare ordered a whisky from room service, and after having dinner together, they parted ways.

In Bombay, Badge accepted the hospitality of his hotelier friend Navare. Aasra Hotel, in Dadar, was famous for its vegetarian food, and as friends of the proprietor, they were given a separate room. After the frenetic activity they had been involved in, spending a night in a comfortable room was too much for Badge to resist, and so he and Kistayya missed the evening Frontier Mail for Delhi.

SUNDAY, 18 JANUARY 1948

When the doctors came to examine him, Gandhi complained of a pain in the stomach. His weight, that day taken by Nehru, registered an ominous'107 pounds.

The Peace Committee met that morning. This time, representatives of the Hindu Mahasabha and RSS, members of all important organisations, and representatives of the refugees from Sabzimandi, Karol Bagh and Paharganj, the three worst affected parts of the city—were present. All of them accepted the conditions laid down by Gandhi, and signed the pledge:

'We wish to announce that it is our heartfelt desire that Hindus, Muslims, Sikhs and members of other communities should once again live in Delhi like brothers in perfect amity. We take the pledge that we shall protect the life, property and faith of the Muslims and that the incidents which have taken place in Delhi will not happen again.

1. We want to assure Gandhiji that the annual fair at Khwaja Qutub-ud-Din's mausoleum, at Mehrauli, will be held this year as in previous years.
2. The Muslims will be able to move about in Sabzimandi, Karol Bagh, Paharganj and other localities just as they could in the past.
3. The mosques which have been left by the Muslims and which are now in the possession of Hindus and Sikhs will be returned. The areas

which have been set apart for the Muslims will not be forcibly occupied.

4. We shall not object to the return to Delhi of the Muslims who have migrated from here if they choose to come back, and the Muslims shall be able to carry on their business as before. We give the assurance that all these things will be done by our personal efforts and not with the help of the police or the military.

We request Mahatmaji to believe us and give up his fast and continue to lead us as he has done hitherto'.

While the pledge was being signed, news came from Birla House that Gandhi's condition had dramatically deteriorated. Dr. Prasad rushed to Birla House with some members of the committee to report to Gandhi their achievements, and to explain the slight delay in getting all the committee members to Birla House. Soon all the members assembled in Gandhi's room, which was packed to capacity. Those present included Nehru, Maulana Azad, Zahid Hussain, the high commissioner of Pakistan, and representatives of Delhi Muslims, the RSS, Hindu Mahasabha and various Sikh organisations. The Delhi administration was represented by Chief Commissioner Khurshid and M.S. Randhawa, the deputy commissioner.

Dr. Prasad then recounted the proceedings of the meeting. He said that those with reservations about signing the pledge the day before had today done so without any hesitation. It had been decided to set up various committees to oversee the implementation of the conditions promised in their pledge. Others recounted how, that morning, a group of 150 Muslims were taken to Sabzimandi where they had been greeted with fruits and refreshments by the Hindus. In view of this they all pleaded with Gandhi to give up his fast.

Replying to this Gandhi said that they would have to realise the implications of their pledge. What they had achieved in Delhi had to be realised in the whole of India. If things in Delhi were set right, it would set things right in Pakistan, too. He reminded them that he was not a man to shirk going on another fast if he later discovered that he had been deceived or had deceived himself into breaking this one prematurely. They should, therefore, be extremely wary and act with full sincerity. He invited the representatives of Muslims who had been frequently meeting him to tell him whether they were satisfied that the conditions in Delhi were now such as to warrant his breaking the fast.

He then referred to a book given to him by a friend in Patna, which mentioned that according to the Koran, kafirs, Hindus were worse than poisonous reptiles, fit only to be exterminated. He was sure no Godfearing Muslim could subscribe to that creed. He added that, if they fully accepted the implications of their pledge, they should release him from Delhi so that he might be free to go to Pakistan. Maulana Azad, speaking after Gandhi, said that he could not leave unchallenged the observation made in the book as it pertained to the teachings of Islam. He had no hesitation in characterising it as a libel on Islam.

Listening patiently to all the leaders who stood before him with folded hands and moist eyes, Gandhi relented, and said, 'I shall break my fast. Let God's will prevail,' which he did accompanied by the recitations of holy passages from Hindu, Islamic, Parsi, and Buddhist scriptures. A glass filled with eight ounces of orange juice mixed with an ounce of glucose was brought into the room. Maulana Azad held the glass to his lips. It was 12.45 pm; Gandhi had performed the miracle of Calcutta in New Delhi as Lord Mountbatten had hoped he would.

It was an auspicious day, being Guru Gobind Singh's birthday, and soon after breaking the fast Gandhi dictated the following message: 'The Sikhs have shown true courage in eschewing anger. This is the true teaching of Guru Gobind Singh Maharaj. That one single Sikh is equal to one and a half lakh people bears this very meaning. Victory to the Sikhs!'

After the much-relieved gathering dispersed, Nehru revealed to Gandhi that he too had been fasting for the past two days, a fact kept secret even from his family members! After Nehru left, Gandhi scribbled a note and dispatched it to his home: 'Now break your fast ... May you live for many long years and continue to be the Jawahar [the jewel] of India. Bapu's blessings.' He then remembered that an American journalist Arthur Moore had also been fasting with him for the past six days. He told Dr. Nayyar, 'Telephone Moore at once, tell him that I have broken my fast and that he should now break his. And give him instructions as to the proper way of breaking the fast. He might not know.' Moore replied that he had already heard the good news and had just broken his fast with a cup of hot coffee and a cigar!

Later, Gandhi called Pyarelal and asked him to meet Zahid Hussain, the Pakistani envoy, to check when he could visit Pakistan. Zahid was effusive in his praise for Gandhi's fast and said his wife admired him having read his

works in their Urdu translations. He added that he had received telegrams every day from all over Pakistan inquiring about Gandhi's health. 'You do not know how deeply Gandhiji's latest act of sacrifice has stirred the hearts of the people of Pakistan,' Hussain said. But when asked whether this meant that the Government of Pakistan would now welcome Gandhi's visit to Pakistan, he said, 'No, not yet. But I hope that conditions will have changed for the better sufficiently before long.' The Pakistani government was not quite satisfied with the conduct of the authorities on the Indian side. In the Simla high court, Muslims were still not allowed to practice. Zahid sounded less and less convincing with every passing minute, commented Pyarelal on his return to Birla House.

'There seems little chance of my completing the full span of one hundred and twenty-five years,' Gandhi replied with a deep sigh on hearing the report of Pyarelal's meeting with the Pakistani high commissioner.

At Marina Hotel that morning, Karkare joined Apte and Nathuram for breakfast, and the three then took a tonga to Albuquerque Road, to reconnoitre Birla House. The lanes running parallel to the low brick compound wall afforded an unhindered view of the house and the compound, and the room occupied by Gandhi was clearly visible from there. A servant's room at the rear entrance provided easy access to the compound and to the prayer lawns. The servant's quarters were at a level lower than the garden, while its back wall and the rear compound wall of the lawns, where the evening public prayers were held, were the same.

Since all the gang members had been told that if they missed each other at the railway station in Delhi they were to proceed to the Hindu Mahasabha Bhavan, it was decided that Karkare would be stationed at the Mahasabha during the day. The gang leaders had gathered in Delhi but their shooter had not yet arrived. Without Badge, their plan would be a non-starter.

That evening the three of them attended Gandhi's 5.00 pm prayer meeting. They mixed freely with the crowd and went around the grounds; they were sure that, as Gandhi had broken his fast, he would address the meeting from his regular spot—with his back to the wall of the servants' quarters—within a day or two. While they were surveying the prayer grounds Apte pointed out to the others the podium where Gandhi sat to address the crowds. Right behind, barely twelve feet away, was a ventilator grill of a servant's room. Anybody standing inside the room and looking out of the grill would be able to fire a shot, point blank, at Gandhi. Why, he

may even be able to push a hand grenade through the grill, to ensure that Gandhi did not survive. They now only had to figure out an access to the servants' quarter.

Pleased with how simple it was going to be for them to execute their plot, they went to Delhi railway station to receive Gopal who was travelling by the Punjab Mail, and Badge and Kistayya, who were to reach by the Frontier Mail. Both the trains reached Delhi within an hour of each other. The three of them pushed through the crowds searching for Gopal, Badge and Kistayya but they could not find any one. Unknown to them Badge and Kistayya had missed their train. Gopal had jumped out of his train as it was entering the platform and rushed out of the station, afraid he would be caught by the police with an illegal gun in his possession. The leaders, thinking all had missed their trains, started feeling despondent. The Apte-Godse gang had acquired a reputation of bragging; their schemes were always very grand, but the end results never quite matched up. This had led to many of their financiers getting disillusioned with them. Apte and Godse always blamed their failures on fate and circumstances. On this miserable winter evening in Delhi, this, the grandest of their plots, also seemed to be facing eventual doom. The three downcast men reached Marina Hotel. Nathuram ordered hot coffee for himself and Apte and Karkare, feeling more miserable than usual, ordered a double peg of whisky each. As in every hotel, orders for alcholic drinks left a trail. Every peg served had to be accounted for, so the name of the customer or room number was recorded in a separate 'Liquor Register' maintained by the hotel.

Gopal, caught in the rains, returned to the station and lay down on the platform amongst the hundreds of refugees who had made it their temporary home.

In Bombay, Badge and Shankar Kistayya reached Victoria Terminus and boarded the Punjab Mail at 2.30 pm. The train would reach Delhi after twenty-four hours chugging through the entire Central Indian plains and across the Vindhyas, the next evening.

Finally, the most vital cog of the gang was on his way. The second revolver and the shooter would be in Delhi by the next evening.

MONDAY, 19 JANUARY 1948

At Birla House, Gandhi followed his daily routine. The fatigue of his fast had no bearing on his daily activities.

The fast had taken its toll on the seventy-eight-year-old body. The damage to his kidneys worried his doctors, but Gandhi had reversed many medical theories in the past. His regular and frugal habits and abstemious nature had empowered him with phenomenal healing powers. He had absolute command over sleep. 'When I lose command over sleep,' he said, 'I shall be finished. It will be a sign not merely of physical decay but of the deterioration of the spirit as well. All deterioration begins with the spirit; next, it affects the body and finally, one's environment.' His memory had showed some signs of tiring, but his mind was razor sharp. His judgements were precise and his intuition more unerring than ever. For his years Gandhi could still put in a lot of physical and intellectual work daily. Since he had started eating his regular meals, he insisted he had to earn them by doing what he termed 'bread labour', a proportionate amount of physical labour to justify the intake of food, every day. So that day the weak and tired body insisted on spinning his rentio and producing khadi yarn, which would annually be woven into cloth used to clothe and cover him.

He wondered out loud that, as his presence was not required in Delhi, should he leave for Pakistan even if the government and officials were inimical to the idea. If he was able to achieve in Pakistan what he had in Calcutta and Delhi, it would remove the biggest hurdle to the development of a healthy atmosphere in the subcontinent. It could well bring about a reunification of the two countries. He also wanted to go to Kashmir to heal its wounded psyche. His heart told him that Kashmir, if left untreated, would become a festering wound and destroy his beloved India.

The doctors had warned Gandhi's close confidantes that he should not exert himself. He did not have too many visitors that day, barring a few groups of people who had come for his darshan. They were allowed to enter the lawns but kept away from where Gandhi lay on his bed in the sun, as was his daily routine.

At the Hindu Mahasabha office, things were hectic. Ashutosh Lahiri had come under fire from the extremist fringe of the Mahasabha who criticised him for his acceptance of the Seven Point Peace Pledge. He had been forced to prepare a statement, denying that any representative of the Hindu Mahasabha had signed the pledge which was to be released to the press that evening.

Apte and Godse were at the Mahasabha office, worried about the nonappearance of the last two members, and the most vital part of their

plans. Without their shooter, the rest of the gang was ineffective. An agitated Lahiri finished a draft of the press release and gave a copy to Nathuram. He did not pay heed either to the press release or to a whining Lahiri and absentmindedly stuffed it into his jacket pocket.

Apte requested Lahiri to allow him to make a call to Bombay. Lahiri asked that a suitable amount to cover the charge of the call be deposited first. Apte handed over Rs. 15, and booked a call to number 6020—Savarkar Sadan. Apte asked for Kasar or Damle. He wanted to find out if either Gopal Godse or Badge had gone to Savarkar Sadan or left a message for their leaders. The call was tried at 11.30 but neither Kasar nor Damle were available. Just then Karkare, who was standing near the door, saw Gopal enter Hindu Mahasabha Bhavan. '*Ha kay Gopal alaa',* 'There, Gopal has come', he said. Apte cancelled the call and was told that the charge was one rupee and fifteen annas. Those days not many people booked an urgent call and then cancelled it and so the call, booked at 9.20 am, stuck in the minds of the operators, Kulwant Kaur in Delhi and G. Phurness in Bombay. In those days of manually connected calls, the bored operators quite regularly listened in on conversations to liven up the tedium of their job.

Nathuram rushed up and embraced his brother. *'Sukh rup phonchla. Pravasat tras tar nahi zala na? Saman anala?',* You have arrived safely. Hope your journey was comfortable? Have you got the goods?' Gopal patted his bag and said, *'Chinta naka karu, Dada, aramat alo. Saman pan anala.'* 'Don't fret, brother, I am okay. I have brought the goods too'.

Karkare and Gopal then left for Sharif Hotel where a relieved Pahwa met them. Karkare did not introduce Gopal to Amchekar but rather brusquely told him that they had to leave for Jullundhar for Madanlal's marriage that afternoon and so he would have to vacate the room. Amchekar, who had already registered with the Transfer Bureau and was keen to return to Bombay to be with his family, said it was fine with him and thanked Karkare for the hospitality. As a matter of courtesy he asked Karkare for his address, but to his astonishment Karkare curtly replied, 'You don't need to know my address.' Saying this, the three collected their luggage, with the grateful Madanlal carrying Karkara Seth's baggage. They got into a tonga and proceeded towards the Hindu Mahasabha office.

That afternoon Karkare and Apte went to Birla House to find an access to the servants' quarter. They had now finalised the plan: the shooter would gain access to the room in the servant's quarters and as soon as the gun

cotton slabs exploded on the two sides of the podium, he would fire at Gandhi and toss a hand grenade at him. The rest of the gang would position themselves in a ring around the podium and toss a couple of grenades into the crowd to create confusion. Taking advantage of the chaos and panic, the gang members would make their escape.

Apte and Nathuram were responsible for directing and coordinating the actions of the gang members. Very cleverly they had ensured that neither of them would be caught armed or participating in the act of killing Gandhi. Nathuram had also shielded his younger brother Gopal. For all their anger and commitment to rid the nation of the 'meddlesome' Gandhi, they were effectively not taking any risk that would trap them in the attempt.

That evening Apte, Nathuram and Karkare went to Delhi railway station to see if Badge would arrive that day. Not finding him, they returned to the Hindu Mahasabha Bhavan. There they found, to their great relief, Badge and Kistayya sitting and chatting with Pahwa. Karkare and Gopal shared a room at the Bhavan that night. They now had the adjoining dormitory so Pahwa, Badge and Kistayya were told to sleep in the hall.

The entire gang had just about managed to gather in Delhi less than twenty-four hours before their attempted to kill Gandhi.

TUESDAY, 20 JANUARY 1948

After the winter showers, Delhi had become extremely chilly. At Birla House the day started as usual. Gandhi had been restless all night due to a racking cough but he refused to take any medicine.

No appointments were scheduled for that day. Gandhi spent the entire morning, and the better part of the afternoon, catching up on his correspondence. Since the previous evening, Gandhi had started attending the prayer meeting, but since he was weak he was carried to the podium on a chair. That day the prayer meeting was delayed as the public address system had failed. It took some time before things were set right.

At Marina Hotel, Nathuram and Apte ordered breakfast in their room. Those days, small hotels had dhobis who would visit the occupied rooms, take the laundry for washing and ironing, and deliver the clothes that evening or the next morning. Nathuram gave his soiled clothes for washing not realising that his clothes were marked in ink with his real initials 'N.VG.'. The dhobi listed ten clothe items given by Room 40.

At the Hindu Mahasabha Bhavan, Apte reached Karkare's room at 8.30 am and asked Badge and Kistayya to accompany him to Birla House. They were stopped at the gate by a sentry; Apte told him that they had come to meet Gandhi's secretary. He scribbled a name on a piece of paper and asked the sentry to take it inside. While the sentry went in, a heavily built man dressed in a suit walked out of the gate. Apte told Badge that he was Shaheed Suhrawardy. 'He will be sitting next to Gandhi at the prayer meeting. You will have to kill both of them or at least one of them as per Tatyarao's command.' The sentry came back and let the three of them in.

Apte, Badge and Kistayya walked into the Birla House compound and proceeded towards the back, where the prayer grounds were situated. Apte showed Badge the podium where Gandhi and Suhrawardy would be seated. Then he showed Badge the lattice work grill barring the window and told him that his access to the room would be arranged. He would be the one to fire at Gandhi and toss a hand grenade at the podium. Pahwa and Karkare would light the two slabs of gun cotton on the walls on both sides of the podium; as soon as that went off Badge was to fire the shots and toss the hand grenade. Kistayya was to stand in front of the podium and fire at Gandhi from the front and throw a grenade at the podium.

The plan was an amateur's exercise in overkill. They were so desperate to kill Gandhi, the fact that they were going to unleash a barrage of shots and explosives in a densely packed crowd did not bother them. They gave no thought to the loss of innocent lives their attack would cause. The average attendance at Gandhi's prayer meetings was between four and five hundred men, women and children, but after the fast, the crowds had swelled to over a thousand. The garden was 8,000 square feet and it was the practice that women and children occupied the front rows near the podium. According to their plan, that was where the maximum damage would be done when their explosives and hand grenades went off. But to Apte, Godse and Karkare, this loss of innocent lives was acceptable.

The podium was measured; the distance from the podium to the ventilator window of the servant's quarter was measured. The distance between the two spots where the gun cotton was to be exploded was paced off and measured. All this was done in such a manner that it did not arouse suspicion of the servants milling around and members of Gandhi's entourage. Many times during their survey, they looked towards Birla House and saw their victim lying on his cot outside his room. He was

meeting some people who had come and was dictating his correspondence. No one took any notice of the three men hovering around the prayer grounds.

Apte pointed out where Nathuram, Gopal and he would be standing and where each of them would throw their grenades. He asked if Badge was sure he would hit the target from the distance that separated him from his victim. Badge assured him that he would be able to do so.

Finally, by 11.30 am, they felt confident of having familiarised themselves with the grounds. The three then returned to Mahasabha Bhavan where they learnt that Nathuram was suffering from a migraine and was resting. Pahwa was waiting for them with Gopal. Apte suggested that they should go some place where they could test the guns.

The grounds behind the Mahasabha Bhavan were heavily wooded forests. Apte led Badge, Kistayya and Gopal into these woods. After about fifteen minutes they came to a tiny clearing. It was the perfect spot to test their guns. Apte paced off the exact distance between the grill and the podium and asked Kistayya to give him the revolver. Apte loaded four rounds into the gun. He then handed it over to Kistayya and asked him to hit a spot on a tree that he had marked as a target. To their horror, when the gun was fired, the bullets did not reach the target which was barely ten feet away! That was when they realised for the first time that the gun and the ammunition were of different calibre and therefore would not work effectively. Now Gopal opened the oilskin packet and took out his service revolver, a .38 Webley Scott, which he had retrieved from Uksan. The moist soil had rusted and jammed its firing mechanism. Gopal had some lubricating oil and a penknife in his trunk; he asked Shankar to go back to Mahasabha Bhavan and fetch it.

While they were waiting for Shankar, they saw three forest guards walking towards them. They hid the guns under a blanket they had spread. One of the guards, Meher Singh, asked the group what they were doing there. Gopal, who after his stint in the Army could speak a smattering of Punjabi, said that they were having a picnic. Even though the guards left, the gang decided that the place was unsafe and left for the Mahasabha Bhavan.

Karkare and Pahwa were waiting there for them. The gang was again in a fix. Both their guns were not working—how in heaven's name were they going to execute their plan? Putting up a brave front, Apte asked Karkare

and Pahwa to proceed to Marina Hotel. Gopal carried the canvas bag with the explosives and the useless guns. The four got into a dark blue car and drove to the hotel. They found Nathuram stretched out on a cot in the hotel room. Badge and Kistayya then went down for lunch in the hotel's dining room.

When they returned they found Gopal repairing his gun. Badge and Pahwa went into the bathroom to fix the primers in the gun cotton slabs and detonators in the hand-grenades. Nathuram and Kistayya stood at the door and watched the preparations. He addressed Badge, saying in Marathi, *'Hi aamchi shevatchi sandhi ahe, kam yashasvi zalech pahije, sagla vayvasthit ahe hyachi kalji ghya.'* 'This is our last chance; the work must succeed, you see to it that everything is properly prepared'. Gopal, by then, had cleaned and reassembled the revolver. On firing the unloaded revolver it seemed to function properly. To test the time it would take for the fuse to burn, they decided to cut a similiar length of fuse as the one they had fixed to the gun cotton slab, and light it. There was a loud crack and the room filled with smoke. A waiter, alarmed by the sound, came to investigate. Apte stopped him at the door and convinced him that a mattress had accidently caught fire while they were smoking on the bed and reassured him that there was no need for concern.

Apte then assigned duties to the various members. He suggested that Pahwa carry one gun cotton slab and one hand grenade. Kistayya would carry the other set. Nathuram, Karkare and Gopal would carry a hand grenade each. Badge would carry a revolver and the last hand grenade, and Apte a revolver. Badge intervened and said that one gun cotton slab was enough to create a commotion. He suggested that Pahwa should carry a gun cotton slab and a hand grenade. Pahwa would light the fuse and move away; he would have sixty seconds before the explosion. Gopal and Karkare should have one hand grenade each, while Kistayya and he would carry a revolver each and a hand grenade. Apte and Nathuram would oversee every detail and coordinate using hand signals. The shooter had come up with a perfectly workable plan. It would also conveniently keep Apte and Nathuram in the clear, in case anything went amiss.

Karkare suggested that as soon as Madanlal exploded the gun cotton slab all of them would shoot and throw hand grenades at Gandhi. Apte added that he would give a signal to Madanlal and Nathuram would signal Badge to synchronise the events. The others would mix into the crowd and wait for

the moment to carry out their assigned tasks. They were sure that, in the ensuing commotion, they would escape from Birla House, and regroup at the Hindu Mahasabha Bhavan before escaping back to Poona. To them their plan was so simple it felt like a school picnic.

Apte then gave each of them an assumed name to be used at Birla House that evening. Nathuram became 'Deshpande', Karkare was 'Bias', Apte 'Karmarkar', Kistayya 'Tukaram' and Badge 'Bandobhau'. It is not quite certain what names were assigned to Madanlal and Gopal. Nathuram decided to wear a dark blue half sleeved shirt and khaki shorts. Apte wore a dark blue jacket and trousers similar to the Indian Air Force uniform. Karkare wore a dhoti, Nehru shirt and a Gandhi topi. Madanlal wore a jacket given to him by Apte and a pair of trousers. Gopal dressed like Nathuram. Shankar wore a shirt, coat, dhoti and a cap. Badge wore a dhoti and a Nehru coat. In a vain attempt to hide his identity, Karkare painted on a false moustache, darkened his eyebrows and painted a large tilak on his forehead. He thought it was an ideal camouflage but, in fact, his getup attracted attention.

Apte then distributed arms to the gang members. Badge carried his revolver and hand grenade in a canvas bag; the others hid the items given to them on their person.

Karkare and Madanlal were the first two to leave the hotel for Birla House by tonga followed by Apte, Badge, Kistayya and Gopal. Nathuram complained of a headache and said he would follow after fifteen-twenty minutes. Badge disclosed the identity of their victim to Kistayya as they were leaving the hotel. 'We have to kill Gandhi according to the wishes of Tatayrao,' he said. Kistayya, used to following his master's orders, did not display any emotions.

The four of them hired a taxi driven by Surjit Singh, a Sikh driver, from near Regal Cinema. They first went to Hindu Mahasabha Bhavan, and while the taxi was kept waiting, the three went to their rooms. Gopal stored his trunk in the cupboard. The three then returned to the cab, which took them to the rear entrance of Birla House. A service lane opened into an open plot of land bordering the servants' quarters. As the taxi neared the rear gate, an off-duty watchman, Bhur Sinh, an ex-army sepoy, got up to stop it. When he saw that the car had pulled up by the kerb and stopped, he went back to where he was sitting with Choturam, a car cleaner with the

Birla family. They both noticed that while four people stepped out of the car, the driver remained seated behind the wheel.

Two people from the compound walked up to the four and chatted for a few minutes. By this time Bhur Sinh left for his duty at the front gate. After a few minutes of chatting, the group broke up into ones and twos and entered the prayer grounds. A woman who lived in the servants' quarters of 9, Albuquerque Road, about a hundred feet away from the rear of Birla House, Sulochana Devi, also saw the gang arrive by car. Often her children, aged seven and four, came to the grounds to play. Sulochana had, as by habit, come to check on her children, when she saw the taxi driving up and the four men getting out.

Karkare had found out that the room they wanted to enter was the third in line from the gate. Karkare had befriended the servant to whom it was assigned the day before. He asked the servant, Choturam, to let one of his friends to use his room as he wanted to take some photographs of Gandhi. Even though the request seemed odd, Choturam was used to many photographers roaming around on the grounds of Birla House, particularly the French photographer Henri Cartier Bresson who took photographs from on top of walls, crouched under trees and even from the roof!

Karkare gave Choturam ten rupees; the money was incentive enough for the car cleaner who made sixty-five rupees a month. After all, it was only a matter of a few minutes, who would know? However, one thing did intrigue him; neither of the two people was carrying a camera. How were they going to take pictures? He asked Karkare this, who replied that his friend had a camera in the car.

After fixing the deal with Choturam, Karkare walked back to the car. Badge, Kistayya, Gopal and Nathuram had gathered around. Karkare told Badge that the room had been arranged. Badge saw several people sitting outside the servants' quarters and three men sitting just a few feet outside the door. He realised that it was going to be impossible for him to escape after firing from the room. It suddenly dawned on him that, post the asassination, Kistayya and he would be left holding smoking guns, while the rest of the gang would make good their escape. Badge was developing cold feet. He refused to enter the room saying that it was an ill omen, as Choturam had only one eye. He suggested that he would stand in front of the podium as close as he could get to where Gandhi sat and as soon as Madanlal exploded the gun cotton slab, he would fire at Gandhi and throw

his hand grenade. The others realised that there was no way they were going to convince Badge to do otherwise. Badge had also realised that the trellis work grill had openings which were big enough for the hand grenade to slip through, but it was not possible to hurl it any distance from the window. As a result, the grenade would explode just beyond the window and instead of killing the victim, could just about end up killing the person who threw it.

Thus, the plan was changed at the last minute. By this time the prayer meeting had started. The public address system had been repaired, and Gandhi had begun addressing the gathering after the sarva dharma prarthana. The gang walked into the compound to take up their positions. Pahwa sauntered up to them and whispered that he had placed the gun cotton slab on the wall. Karkare asked Pahwa if he was ready. Madanlal replied in the affirmative and walked up towards the spot where he had placed the gun cotton. The spot was visible from the road behind and Sulochana watched the young man walk up to the wall. She noticed the brick-like object kept on the wall, too.

In the meantime, a panic-stricken Badge caught hold of Kistayya and ordered him to hand over his revolver and grenade, and told him to do nothing unless he ordered him to act. Badge wrapped both the revolvers and the grenades in a towel he had picked up from Marina Hotel. He ran to the car and hid them under the backseat. The cab driver had walked up to the prayer ground. Badge walked back to the grounds with his hands in his coat pocket, pretending that he was carrying the gun and grenade in his pockets, and took up his position. None of the others knew what Badge had done.

Badge signalled to Apte that he was ready. Apte signalled to Pahwa, who ignited the fuse on the gun cotton slab with a matchstick and walked away. Sulochana saw him doing this. Madanlal signalled that the slab would explode at any instant.

Gandhi was addressing the gathering. Badge was standing four or five feet to Gandhi's right, Karkare and Kistayya stood a few feet to Badge's right. Suddenly a loud bang shattered the peace of the prayer meeting. There was a lot of smoke and dust; a large chunk of the wall had collapsed. A few people got up and rushed towards the spot where the explosion had occurred; the bomb had exploded about seventy-five feet from where Gandhi sat. The gang members waited for the next action to take place.

Nothing happened. No shots were fired. Inexplicably, neither Karkare nor Gopal threw the grenades they were carrying.

Gandhi calmed the audience, 'If we panic like this over nothing, what shall be our plight if something really happens? ... Listen! Listen everybody, nothing has happened, listen to me. Sit down quietly.' The panic the gang had hoped for did not happen. Gandhi's words had calmed the crowd. The gang members were the only ones left standing, very conspicuously. But circumstances helped them avoid attention. They saw a few people who looked like the security staff of Birla House rushing towards the spot where the bomb had exploded. They saw a lady pointing towards Pahwa and the next moment he was grabbed and marched off towards the front gate of Birla House. Just outside the gate was a police post.

The gang panicked, sure that they would be caught any minute. Apte, Nathuram and Gopal rushed out off the rear gate and got into the cab shouting, *'Gadichalu karo, gadi chalao,jaldi,jaldi."* 'Start the car, start the car. Drive, drive, fast, fast!' Several people saw the car drive off, as did Sulochana. A young boy noticed the number plate, and later gave the number to the police, but the number was wrong.

Karkare melted into the crowd and made good his escape. Badge caught hold of Kistayya and, avoiding the police constables, walked out of Birla House. They hired a tonga and proceeded towards Hindu Mahasabha Bhavan. Badge found Nathuram, Gopal, and Apte there in a state of panic. A blazing row ensued between Badge, Nathuram and Apte, each accusing the other of betraying the cause. Badge was livid that the others had all planned their getaway with no consideration for him. Although Nathuram and Apte had themselves not performed their assigned tasks, they blamed Badge for the failure of their plan. Apte told Badge that they did not require his services any more and that he should go back to Poona. Badge asked Shankar to dispose of the remaining explosive and the hand grenades. Shankar buried the cache in the woods behind the bhavan.

Gopal was told to leave for Poona immediately. Nathuram and Apte also decided to flee from Delhi. Karkare said he was going to stay in Delhi and try and get legal aid for Pahwa. All of them picked up their bags and hurriedly left. Apte and Nathuram went to Marina Hotel and checked out. Nathuram forgot to pick up the copy of the press release Ashutosh Lahiri had given him and his laundry. They rushed to the railway station.

Nathuram and Apte were devastated. Their well laid out plan had failed at the last minute. Like all their previous attempts to 'avenge' the atrocities on Hindus, this one had also proven to be a dud. Who would believe them now? How would they face Tatyarao? The Apte-Godse gang had once again proven to be losers.

On reaching the station, Badge and Kistayya bought tickets for Bombay on the 11 pm train and decided to stay put on the platform. Badge saw a couple of police constables walking along and, fearing the worst, they left and went to the Old Delhi railway station. A train was leaving for Bombay within the hour, which they boarded; from there they would head to Poona. Their part in the conspiracy to murder Mahatma Gandhi was over.

Nathuram and Apte left for Old Delhi station and travelled first class on an overnight train to Kanpur, and then on to Bombay. After their failed attempt, Apte noticed that Nathuram had been been very quiet. Apte knew that, at these times, it was best to leave him alone. According to Apte, some time during that night on the train, Nathuram suddenly woke him and said, 'We had decided to kill Gandhiji, we can't give up, we must fufil the promise we made to Tatyarao. We must achieve what we have planned. We will try again, but this time I am going to do it myself. No relying on others. Let's get an efficient gun. We will go back to Delhi and finish what we had planned to do. I will kill Gandhi myself.' Having said this Nathuram seemed to calm down. He then dozed off. Till that moment Apte had been the leader of the Apte-Godse gang, and Nathuram the faithful follower. At that moment though, the mantle of leadership changed hands. Henceforth, Nathuram was the leader. Apte would only look on.

After spending some time at a tea-shop, Karkare and Gopal went to Old Delhi and checked into a cheap hotel close to the railway station. The Frontier Hindu Hotel was mainly used by travellers staying overnight or people in transit. Gopal checked in as 'Rajagopalan' and Karkare as 'G.M. Joshi'. They stayed for one night. The next morning Gopal would leave by the Punjab Mail for Bombay and then go on to Poona.

At Birla House, immediately after the blast, Madanlal was caught by Bhur Sinh, Sgt. Ram Chander and Rattan Singh, a police constable. He was taken to the main gate and handed over to the police on duty there. K.N. Sawhney, a magistrate from Karnal and the district officer for refugees, who was attending the prayer meeting and was sitting three to four feet away from Gandhi when the blast took place, frisked Pahwa. He found a hand

grenade in the right hand coat pocket Madanlal was wearing. It was defused, packed in a tin and sealed as one of the first pieces of evidence in what was then referred to as the 'bomb attack case' and would later become the Gandhi murder case. A little while after the bomb explosion, Nehru arrived. Gandhi called Sawhney and said, 'The boy was brave,' and compared him to Bhagat Singh, the revolutionary martyr. He added, 'They are children. They do not understand the situation now. When I am dead, then they will remember that what the old man said was true.'

Madanlal was taken to the Tughlaq Road Police Station. Initially it was assumed that he had acted alone,, a crazed refugee giving vent to his anger, but when the statements of Choturam and Sulochana were reported to the police, it was realised that a larger conspiracy was at work and that more than one person was involved.

Senior police officers rushed to the police station and Pahwa's interrogation began in earnest. Severe third degree methods were used to break Madanlal. Very soon he began confessing to the police. He named 'Karkara Seth' as the financier from Ahmednagar; he talked about the editor and publisher of *Hindu Rashtra* and *Agranee* from Poona and the editor's younger brother. He talked about a bearded weapons supplier and his servant, the details of the meeting at Marina Hotel and the entire plan. To the police, he repeated again and again, *'Woh phir ayega',* 'He will come back again'.

Choturam and Sulochana had told the police about the people accompanying Pahwa and also gave their physical descriptions. A young boy gave them the car number DLH 9435, but it was found to be that of a bus. Late in the evening, Madanlal was taken to Marina Hotel. He led the police to Room 40 on the third floor of the hotel. The manager, C. Pacheko, was asked to open the room, which was then searched thoroughly. From one of the drawers of the dressing table, the police found the press release typed on the Hindu Mahasabha letterhead, with Ashutosh Lahiri disclaiming that any representative of the Hindu Mahasabha had signed the peace pledge. This should have alerted the police to the fact that Madanlal's accomplices were affiliated to the Hindu Mahasabha. They checked the hotel registers and found the occupants registered under false names. The police was also shown the laundry, some of which bore the initials 'N.VG.'. By the time the police finished their work it was past 11 pm. They proceeded to the Hindu Mahasabha Bhavan, and searched Room 3, but did

not find any evidence. Surprisingly, the police did not question either the staff or Ashutosh Lahiri. Back at the police station, Pahwa's interrogation continued through the night.

WEDNESDAY, 21 JANUARY 1948

At Birla House, the morning papers arrived, all of which featured the attempt on Gandhi's life. Many, including Hariram, a servant of G.D. Birla who attended on Gandhi, thought of him as God and wondered how any one would want to kill him.

During the evening prayers, Gandhi said, 'When I first heard the noise of the explosion. I thought it was the military carrying on their routine target practice. I did not realise till after the prayer that it was a bomb explosion and the bomb was meant for me.' He added that no one should harbour any resentment against the misguided youth who had thrown the bomb. He probably regarded Gandhi as an enemy of Hinduism and himself as an instrument for his removal. He could not ask the police to let off the culprit, but appealed to the police not to harass the young man; instead they should put him on the path of true action.

Early the next morning, the police took Madanlal to Old Delhi station from where the first two trains for Bombay would be departing within an hour of each other. Gopal—who was carrying the revolvers and hand grenades—was travelling by Punjab Mail and Karkare had come to see him off. Gopal had stashed the canvas bag with the arms and grenades under his seat in the third class compartment and, as there was some time before the train left, Karkare and he went to the railway canteen for breakfast. While they were having tea, they saw two policemen escort a handcuffed man with a blanket covering his face, with just his eyes peering out of slits, towards the canteen. Gopal immediately realised that the police had brought Madanlal to identify his accomplices. The blood drained from Gopal's face. 'Fortunately we were sitting in the far corner of the room and Madanlal did not see us,' Gopal recalled later. After marching up and down the platform the police walked off with Madanlal. Gopal heaved a sigh of relief; he rushed across the platform and boarded his train.

After Gopal had left, Karkare stayed in the canteen till he was certain that the police had left with Madanlal. He went across to the Frontier Hindu Hotel, checked out, and went to a waiting room at the station, venturing out only in the afternoon. In his statement to the police, Karkare said that he

parted with Gopal on the evening of the 20th. He claimed he spent that night on the footpath outside Birla dharamshala. He made his way to the Hindu Mahasabha Bhavan to see if he could muster up some help for Madanlal, but nobody was willing. A dejected Karkare decided to go to Madanlal's relatives. He tried to get help for the next two days, without success.

That evening two officers from the Delhi police, Deputy Superintendent Jaswant Singh and Inspector Balkishen, were sent by air to Bombay. The director of the Intelligence Bureau and inspector general of police T.G. Sanjevi was given the charge of investigating the bomb attack case. It was on his orders that the two officers were being sent to Bombay. Their orders were to immediately brief J.D. Nagarvala, the deputy commissioner of police in Bombay, about Madanlal's confession, and then proceed to Poona and hand over a copy of Madanlal's confession to the deputy assistant inspector-general of police, CID, Raosaheb Gurtu. Madanlal's statement, as was the practice those days in North India, was written in Urdu. No senior policeman in Bombay could read Urdu, but no translations were furnished by the Delhi police.

In Bombay, Jain saw the headlines of the morning newspaper and when he read who had exploded the bomb he was shocked. There were no reports of the arrest of the other members of Madanlal's gang, but Pahwa had introduced 'Karkare Seth' to him as the financier of the plot to 'overpower' Gandhi. After seeing the reports in the papers, Jain felt that he should report Pahwa's conversation, but was apprehensive as he lived in Shivaji Park, a Hindu Mahasabha stronghold. He contacted the then chief minister of Bombay, B.G. Kher, but as he was going out of town, he was asked to meet the Home minister, Morarji Desai. At 4 pm that evening Jain reported the conversation that Madanlal had had with him on the 11th and 14th of January to Morarji Desai. He told him about Karkare Seth, and Madanlal's meeting with Savarkar. He requested Desai not to divulge his identity as he feared for his life. Inexplicably, Desai did not ask any police officer to be present while Jain made his statement, nor did he record or make notes of the statement.

After Jain left his chambers, Desai sent for the deputy commissioner of police, Jamshed Dorabjee Nagarvala, popularly known as 'Jimmy', who was in charge of the Intelligence Branch. He was busy, so Desai requested a

meeting at the Bombay Central railway station that evening, as he was going to Ahmedabad by the Gujarat Mail at 8.30 pm.

At Bombay Central, Desai told Jimmy Nagarvala all that Jain had told him without revealing the professor's identity, and asked him to investigate the matter. Desai asked Nagarvala to arrest Karkare and to put a watch on Savarkar. Desai mentioned that he was meeting Patel at Ahmedabad and would give him all the information.

One of the first things Jimmy Nagarvala did was to post two plainclothes policemen to stake out Savarkar Sadan at Shivaji Park. Nagarvala was sure that, if there was a larger conspiracy, then Savarkar's involvement could not be discounted and sooner or later the gang members would congregate there. Nagarvala also alerted his men to get him information about any plots by the Savarkarites.

Nathuram and Apte reached Kanpur that morning and checked into a retiring room at the station. Nathuram signed the register using his real name. They glanced through the papers and were relieved to see that the police were not looking for any accomplices. They took the 11.30 am Lucknow-Jhansi Mail to Jhansi, from where they got on to the Delhi-Bombay Punjab Mail to Bombay.

THURSDAY, 22 JANUARY 1948

At Birla House Gandhi had returned to his regular routine. It seemed that he was keen to dispense with all his pending work before he took up his next task. The recovery of the thousands of abducted women in both dominions, the persecution of the Hindus in Sind, and the evacuation of those who wanted to cross the border into India, were some of the issues that demanded his attention. The plight of the non-Muslim refugees in Bhanwalpur state in Pakistan, waiting to be evacuated to India, was worrying. Gandhi decided to send two emissaries. He deputed Leslie Cross of the Friends Service Unit and his personal physician Dr. Nayyar to leave for Bhanwalpur at the very earliest.

That evening Gandhi walked to the prayer meeting, which was held as per schedule at the same spot. The damaged wall had been repaired. He had rejected Patel's suggestion of deputing more police and that every person coming to Birla House should be frisked. 'My faith does not allow me to place myself under any kind of human protection at prayer time,' he said; it would reduce his profession of faith to a mockery.

Early that morning, at the police headquarters in Bombay, the two officers from Delhi met Nagarvala and gave him a copy of Pahwa's confession. Nagarvala brushed them off, asking them not to interfere with the investigations.

Gopal Godse reached Bombay in the early afternoon. He alighted at Dadar Station and waited on the platform to board a train to Poona. He was eager to see his wife Sindhu and his daughters. Suddenly a police constable walked up to him and asked to search his luggage. Gopal was scared, thinking he would now be caught as he was carrying two revolvers and a hand grenade in his shoulder bag. Hesitatingly, he unrolled his bedding. After some probing, the constable left without checking Gopal's shoulder bag.

On reaching home at six, the first thing he decided to do was to get rid of all the incriminating evidence that could link him to the attack on Gandhi.

That evening Gopal went to a friend, Pandurang Godbole's house in Sadashiv Peth. He gave Godbole a parcel containing the .38 Webley Scott revolver. He was going to ask Badge to exchange the useless .32 for the .22 that Nathuram had originally given him.

FRIDAY, 23 JANUARY 1948

At Birla House that morning, Gandhi wrote a letter to his grandson, Dr. Kanti Gandhi: 'The fast seems to have done some harm to my body. To that extent I may be said to be deficient in regard to Rama Nama. That faith requires ceaseless practice, which I have not been able to manage. If God wants my faith to bear fruit, He will grant it. Even if I do not get that experience in this life, I think my faith will remain unshaken'. To an ashram associate he wrote: 'My giving up the fast has not lessened my responsibility. It has added to it. It will count for something if I show some achievement in Delhi. On the 20th I might have died. But Rama saved me because he had to take some more work from me. If I can die with a smile on my lips, it will be a great mercy .... This morning I had a long frank talk with Manu. I am a servant of Rama. I shall work as long as He commands me to work. I shall go when He commands me to go. I am prepared for both. My only prayer is that I may realise non-violence and make others to realise it. You should join me in that prayer'.

Gandhi attended the first session of the new Congress Working Committee (CWC) constituted by Dr. Prasad, the Congress president. The

members congratulated Gandhi on his achieving peace, and expressed relief that he had escaped unscathed from the bomb attack. That day was Netaji Subhas Chandra Bose's birth anniversary. The two had never seen eye to eye. Netaji had relinquished the post of Congress president as Gandhi was opposed to it and gone on to form the Forward Bloc. That evening Gandhi paid glowing tributes to Netaji, 'Subhas Babu was a votary of violence, while I am a devotee of ahimsa. But what does that matter? The most important thing is that we should learn from other people's virtues. Subhas was a great patriot. He laid down his life for the country. The soldiers of his Indian National Army included Hindus, Muslims, Sikhs, Parsis, Christians and others. He had no use for parochialism and caste distinctions. In his eyes, all were Indians and servants of India. Let us, in remembering Subhas, think of his great virtues.'

The Punjab Mail carrying Nathuram Godse and Narayan Apte reached Bombay's Victoria Terminus at noon. They took a taxi to Sandhurst Bridge near the Harkisondas Hospital in central Bombay. They planned to stay at the Arya Pathik Ashram, a cheap hotel previously patronised by Apte and Manorama Salvi. The manager of the hotel, Gaya Prasad Dube, regarded Apte as a favoured customer. Apte always demanded and paid for a single room for himself, which was a luxury. This time, unfortunately, the two-bed rooms were not available. All Dube could do was give them two beds in a dormitory, to be shared with six other lodgers. Apte signed under his real name and wrote 'Friend' as was his practice when he stayed with Manorama.

Leaving their luggage at the hotel, Apte called Manorama. She was both, surprised and relieved to hear from him. After talking to Manorama, Apte and Nathuram rushed to Thana, a district headquarters town towards the north-east of Bombay, to G.M. Joshi's house. Both Karkare and Apte knew him; before leaving for Delhi all of them had met at the Shivaji Printing Press owned by Joshi and he had also given the gang some funds. The two wanted to find out whether Joshi had heard from Karkare. When Joshi replied in the negative, they asked about Karkare at a couple of other places, but drew a blank everywhere.

Although Nathuram had declared that their new plan would be a one-man effort and they would not be regrouping, the two seemed desperate to reassemble the gang. They sent a message to Gopal, informing him they were in Bombay and Manorama knew their whereabouts.

Karkare had, in fact, left Delhi. To escape detection by police, he jumped off the train at Mathura and took a bus to Agra.

At the police headquarters in Bombay, the two officers from Delhi police were ushered in to Nagarvala's office. He ordered them both to immediately leave for Delhi and not waste time in Bombay. Surprisingly, they chose not to comply with the orders given to them in Delhi and soon after boarded a train and were back in Delhi after wasting two days in Bombay.

SATURDAY, 24 JANUARY 1948

At Birla House, even as he was planning ahead for varied activities in the coming month of February, Gandhi sensed a great doubt somewhere deep inside him. In a letter to his nephew and Manu's father Jaisukhlal Gandhi, he wrote: 'You should come to Sevagram in February. It is possible I may have to go to Wardha for Jamnalal's* death anniversary on 11 February. But it is not certain. It does not seem likely that I can get away from Delhi. I am dictating this letter immediately after prayer. There is a heap of letters to be attended to. If God wills, we shall be meeting in a few days, and then we can talk about the rest'.

In another letter he wrote: 'I am a servant of Rama. I will do His work as long as He wills. I shall have won in my mission, if I am granted a death in which I can demonstrate the strength of truth and non-violence. If I have been sincere in their pursuit, and acted with God as my witness, I shall certainly be granted that kind of death. I have expressed my wish at prayer that, should someone kill me, I should have no anger in my heart against the killer, and that I should die with Rama nama on my lips.'

Gandhi had sent Dr. Nayyar to Bhanwalpur and Lahore as his personal representative, to meet Ghazanafar Ali Khan, Pakistan's minister for refugee rehabilitation, and take steps to evolve a viable policy to help abducted women and other destitutes find suitable homes. Dr. Nayyar sent Gandhi a message from Lahore saying she had had useful talks. In the evening, a deputation of Karnataka Congress leaders called on him. Their discussion centred on forming a Karnataka province based on language. Gandhi was not averse to the idea, given his zeal for promoting and giving more importance to India's languages.

At the Delhi Police Headquarters, Jaswant Singh and Balkishen filed the report of their trip to Bombay. They hadn't been able to arrest 'Karkare Seth', nor had they established the identity of the editor of *Hindu Rashtra,*

they said, and complained to their superiors about the cavalier treatment they received in Bombay.

Meanwhile, the person the Delhi police was after, Karkare, boarded a train from Agra, continuing his convoluted journey back to Bombay. During the night he changed trains at Itarsi, in the Central Province, now Madhya Pradesh, and then at Kalyan, an industrial town north-east of Bombay.

In Bombay, Dube, the manager of the Arya Pathik Ashram, finally managed to get a two-bed room for Apte. A delighted Apte accepted. Nathuram had gone to the Elphinstone Annexe Hotel on Carnac Road, close to the Victoria Terminus and next door to the Bombay police commissioner's office and police headquarters; there he booked another room in the name of 'N. Vinayakrau and friend'. Apte returned to his hotel room at noon with Manorama. Manorama stayed on the 24th and spent the night there too. Nathuram stayed away and watched a couple of films.

SUNDAY, 25 JANUARY 1948

At the Birla House, planning his movement to uplift villages and rid India of the caste system, Gandhi wrote to Prabhudayal Vidyarthi, who had lived in Sevagram since he was fourteen and was now a village worker. He said he expected several difficulties in the tasks of rural reconstruction. But the workers committed to them had to be resolute, hardy, and also tactful bringers about of change. That afternoon, he attended the second session of the CWC. He supported the proposal for provinces to be created on the basis of India's major languages, but insisted that thereafter their citizens should all live together with love and cooperation.

That evening at the prayer meeting Gandhi said, 'I will not ask how many Muslims there are at this meeting. I shall only ask everyone to treat them as their brothers. More and more people have been coming to the prayers. If each one of them makes it a point to bring a Muslim friend, it will be a great thing. The urs at the shrine of Khwaja Syed Qutub-ud-Din Bakhtiar in Mehrauli will start from tomorrow. Earlier this year, the shrine was partially demolished. Now it has been repaired, and the urs will take place as usual. Formerly, a large number of Muslims and an equal number of Hindus used to go there. The Hindus should go there with peace and reverence in their hearts.'

Referring to his programme for the month of February, Gandhi said, 'I shall leave for Wardha on 2 February with Rajendra Babu. But I shall try to return to Delhi as soon as I can. The report that I shall be staying in Wardha for a month is not correct. I shall go only if you bless me and assure me you will not start fighting as soon as I leave! Later, I want to visit Pakistan also, if that government allows it.'

At the police headquarters in Delhi that morning, the two police officers' reports reached Sanjevi's desk. He did not, however, want to take up his subordinates' complaints with the Bombay police. He believed that the conspirators were from the Bombay province and thus he needed their cooperation. U.H. Rana, the deputy inspector-general of CID, Bombay was in Delhi. Sanjevi briefed him about the case and handed over a copy of Madanlal's confession to him, this time with the English translation. He ordered Rana to hand it over to the Bombay police and get them working to arrest the people mentioned in the confession.

Rana left for Bombay that day, and despite the immediacy of the mission, chose to travel a route that made the journey so long, it was ultimately rendered unnecessary. Rana decided to go to Bombay by train and not by air as he had a fear of flying.

At Thana, Karkare went straight to Joshi's house, Shanta Sadan, in the Navpada Enclave, and called up to him from the street, as was the practice those days. Some Hindu homes were very particular about the womenfolk not meeting strangers and casual acquaintances. When a guest visited, they would hail the family from the street or the compound and thus give the women of the house time to retire to the inner rooms. Joshi told Karkare that Apte and Godse had come looking for him two days back but had left without giving any information about their whereabouts. Karkare then sent a telegram to Apte in Poona, but being a cautious man, he did not send it from Thana. In case the police was on a watch-out, they would intercept the telegram, trace it to Thana and then to the Joshi household. So Joshi's eighteen-year-old son, Vasant, was sent to the Central Telegraph Office, in the Fort area of Bombay, next to Flora Fountain. It was a twenty-mile journey one way. As it was a Sunday, only express telegrams were booked. The telegram said: Apte, Anandashram, Poona. Both come immediately, Vyas'. 'Vyas' is another way of spelling 'Bias' which was Karkare's assigned code name in the gang.

In Poona, Gopal had been a regular visitor to Apte's house, enquiring about him from his wife Champatai. When he received the message from Nathuram, that he and Apte were in Bombay, Gopal duly informed Champatai.

That morning Champatai had received a telegram addressed to her husband from somebody called Vyas. She could not make any sense of it and so sent it to Gopal, who recognised the sender. He now had to forward this information to Nathuram in Bombay. Gopal rushed to the station and boarded the first train leaving for Bombay. He had to reach Bombay, find his brother, give him the message and get back to Poona by the next morning as his leave was getting over and he had to report for work at the ammunitions depot. He took the .32 revolver with him. He had tried to give it to Badge, but the shooter had become abusive and so Gopal had kept the gun with him. Now he wanted to give it back to his brother, who may some use for it. Gopal's fear of arrest had lessened with the passing of days. He got off at Thana and from a pay phone, called the Northcote Police Hospital and left a message for Manorama, requesting her to inform Apte that Vyas had reached Thana. Then he went to Joshi's house and met Karkare.

At the Elphinstone Hotel, Apte and Godse had decided to do some fund-raising. They visited a wealthy supporter of extremist Hindu activity, Paranjape, a banker and co-owner of the Silver Bank Company. They asked him for a loan of Rs. 25,000 for their paper. Paranjape promised to give them Rs. 10,000 if they came to his office the next day. Knowing that they would get less then what they asked for, Apte had asked for an inflated amount, hoping to get at least Rs. 5,000. What Paranjape had promised was a windfall. The duo rushed to the Air India office in Fort and booked two tickets to Delhi on the morning flight for Tuesday the 27th. The tickets were booked under the assumed names of 'D. Narayanrau' for Apte and 'N. Vinayakarau' for Nathuram, and the address of the Sea Green South Hotel on Marine Drive was given.

When they returned to the Elphinstone Annexe Hotel, they found Manorama waiting for them to pass on Gopal's message. Apte and Nathuram immediately left for Thana.

The gang was regrouping.

On reaching Joshi's home, the four of them requested him for some privacy. Nathuram revealed his plan to the group. Karkare and Gopal looked towards Apte for approval, but realised that something had taken

place in their absence. Apte had been dethroned. Their new leader was Nathuram Vinayak Godse.

Apte and Karkare agreed to join Nathuram. Gopal handed the .32 revolver to his brother. His part in the conspiracy to murder Gandhi was over. He was going back to his family and job.

The gang of seven was now reduced to three. Gopal inquired from Joshi what time the next train for Poona would leave. As Joshi said after 10 pm, Gopal made his way to the railway station and then onwards to Poona.

MONDAY, 26 JANUARY 1948

At Birla House, it was Gandhi's day of silence. He held 'talks' with Dr. Gopichand Bhargava, Prafulla Chandra Ghosh, and others, giving his remarks and replies in writing. He followed the same procedure when he attended a session of the CWC.

At the evening prayer meeting, his written speech was read out by Pyarelal which said: 'Today, 26th January, is India's Independence Day.* This observance was quite appropriate when we were fighting for independence, and we had not seen or handled it. Now that we have seen and handled it, we seem to be disillusioned. What are we celebrating today? Surely not our disillusionment! What we are entitled to celebrate is the hope that the worst is over, and that we are on the road to showing the lowliest of India's villagers that independence means his freedom from being a serf, and that he is no longer a slave born to serve the cities and towns of India, but that he is entitled to use city-dwellers for the finished products of his well thought-out labours. He is the salt of Indian earth.'

In Bombay, Nathuram and Apte went to see Dada Maharaj with the hope of persuading him to give them a reliable handgun. Dixit Maharaj was also present at the meeting. At their last meeting Apte had boasted to Dixit Maharaj that they had procured a truckload of weapons and explosives and were going to take it to Kashmir to fight the 'Kabali' invaders from Pakistan. Dixit Maharaj now asked Apte about this shipment to Kashmir. Apte replied that the shipment was ready and they were looking for a revolver for their own defence, since it was very dangerous to travel north of Delhi. Dada Maharaj declined, saying he could not help them. Apte then asked for financial help, but as the Maharaj brothers were disillusioned with the duo they had to leave empty-handed.

Later that morning Apte and Nathuram went to the Silver Bank Company to meet Paranjape. They were to meet Karkare at nine that evening for a final meeting before the three of them made their way to Delhi. With a lot of cash in their pockets Apte and Nathuram decided to spend the afternoon indulging in personal pleasures. Apte had invited Manorama and Nathuram decided to watch a film. Apte planned to use Manorama as an alibi later to prove that he had not been with Nathuram in Delhi at the time of the murder. Apte told Manorama, that as soon as she heard news of Nathuram's actions in Delhi, she should send a telegram to the secretary of the Hindu Mahasabha in Delhi with the message: 'Arriving in Delhi to arrange Godse's defence, Narayan D. Apte'.

That evening, after an early meal, Nathuram and Apte caught a train to Thana. Karkare was waiting for them on the platform. The three crossed the railway tracks and squatted under a lamp in a secluded area of the yard where Nathuram briefed Karkare on their plans. Apte and he were leaving for Delhi by air the next morning. From there they would proceed to Gwalior to procure a handgun from one of Gopal's acquaintances. Gwalior was the capital of the illegal gun trade in India. All kinds of Indian and foreign guns and firearms were freely available. They would then return to Delhi on the morning of the 29th. He asked Karkare to leave for Delhi latest by 27th evening, so he would be there by the 28th night. On 29th morning Karkare was to wait for them near the stone fountain in the Queen's Garden outside the Old Delhi railway station. Karkare promised that he would wait all of Thursday for Godse and Apte. By this time Karkare had run out of money and so Apte gave him three hundred rupees towards his travel and stay in Delhi.

The three then walked back to the main platform and sat at a tea stall till the last local for Bombay came in. Karkare saw the two off and walked back to Joshi's home.

U.H. Rana, to whom Sanjevi had entrusted Madanlal's confession, was still travelling by train from Allahabad to Bombay—a journey which would take him close to thirty-six hours.

TUESDAY, 27 JANUARY 1948

At Birla House, Gandhi had an important event planned for the day. Set in idyllic surroundings, seven miles south of Delhi, is Mehrauli, historically renowned as the ancient capital of Prithviraj Chauhan. It is the seat of the

dargah sharif of Khwaja Syed Qutub-ud-Din Bakhtiar, a Sufi saint, and ranks, second in importance only to the dargah of Khwaja Moinuddin Chishti at Ajmer. During the riots that had ravaged Delhi, some heinous acts of communal carnage had occurred here too. Every year a religious fair was held during the feast of the peer, which was attended not only by Muslims but, in the true Sufi tradition, even by Hindus, Muslims, Sikhs and Christians. As Gandhi had said that holding the urs was a pre-condition to breaking his fast, the Delhi administration had cleaned up the shrine and its surroundings and the vandalised portions of the dargah had been repaired.

Gandhi was to visit the shrine and attend the urs. Sanatani Hindus and militant Sikhs vied with each other to welcome the visitors with flowers and steaming cups of tea from the tea stalls they had set up. Gandhi was accompanied by Abha, Manu and another lady. According to Islamic tradition, women were not allowed inside the sanctum sanctorum. He suggested that they wait outside 'preferably under the protection of a Muslim friend'. But the organisers said that the ladies must accompany Gandhi as they were his daughters. On seeing the damage done to the intricately carved white marble screen around the dargah, Gandhi said, 'I am afraid that Hindu and Sikh shrines in Pakistan must have suffered similar damage.' News had appeared in the press quoting a statement issued by the Pakistan government, that 130 innocent Hindu and Sikh refugees had been slaughtered in Parchinar refugee camp at Peshawar by raiders from across the tribal territory. The actual casualties were much higher. Unlike in the past, the news had not sparked retaliatory attacks on the Muslims in the capital. 'I must say,' Gandhi remarked as he came out of the shrine, 'the response of the Sikhs to my call to non-violent courage has exceeded my expectations.' Speaking about the carnage at Parchinar, Gandhi said, 'I want you all to take a vow that you will never again listen to the voice of Satan and abandon the way of brotherliness and peace. The news from Parchinar has shocked me but you must not allow even such provocations to rekindle in your hearts the sentiments of retaliation and revenge. You should tell yourself and all concerned that they were out not to demand blood for blood but to meet with love even the murderer.'

Talking with his companions on his way back from the shrine, Gandhi expressed his utter disappointment with the way the Security Council of the UNO was dealing with the Kashmir issue. Instead of considering India's complaint and getting the aggression vacated, the stage was being set to ask

India to withdraw its troops from Kashmir as a preliminary condition to the holding of a plebiscite which would decide the future of Kashmir. The UNO seemed to have become a body, where falsehood and prevarication enjoyed a high premium. 'Today they are preparing to put Pandit Nehru's government in the dock,' he remarked. 'Unless we are extremely wary, we shall come out with our name tarnished.'

In the afternoon, Gandhi was interviewed by Kingsley Martin, a British journalist. He reiterated his growing conviction that India's struggle for freedom from foreign rule had not really been non-violent at heart, and that the fatal difference between word and deed had been the root cause of all the violence seen in the country soon after Partition. He saw India's passive resistance to have been an expedient, undertaken only because the freedom fighters had had no military strength with which to battle the British Empire. True non-violence, in his view, had to be an attitude of the strong who commanded power but would use it as a matter of dharma, and not because they were powerless.

He recalled, for Martin's benefit, an incident that had occurred in South Africa many years ago. William Hosken, a businessman, had introduced him at a meeting saying, 'Mr. Gandhi is a leader of Transvaal Indians who take recourse to passive resistance, having no franchise, and having no arms. They have taken to passive resistance, which is a weapon of the weak'. Gandhi said that he had, even then, resisted that description: 'Real passive resistance has been miscalled a weapon of the weak. After all, Jesus Christ is the Prince of all passive resisters. Can he, in any sense of the term, be called weak? Soul force, the weapon of the truly non-violent, is actually a weapon of the strong.'

Speaking at his prayer meeting, Gandhi referred to raiders in Kashmir having abducted a number of women and children from Mirpur. 'I must ask the raiders and the government of Pakistan, for the sake of humanity, and for the sake of God, to return all the abducted women with due respect. It is their duty to do so. I have enough knowledge of Islam, about which I have read a good deal. Nowhere does Islam teach people to carry away women and keep them in such disreputable conditions. This is worship of Satan, not of God.'

Vincent Shean, an American author, interviewed Gandhi after the prayer meeting. They talked about the influence of religion and the philosophy of ends and means. Speaking on his objection to the use of force, Gandhi said

that his objection to the use of force was not that force could as well be used to support unrighteous wars; it was fundamental. 'I do not know what is intrinsically good. Hence, I do not go by results. It is enough if I take care of the means.' As an example he said that as a nature-curist, he did not believe in the use of sulpha drugs if he got typhoid. Should he abandon his belief? 'I do not know whether it is good for me or humanity to be cured by the use of sulpha drugs; so I refuse to use them .... If evil do seem sometimes to result from good, the inference would be that the means employed were probably wrong. Good action to produce good results must be supported by means that are pure.'

Since it was getting late they decided to continue the interview the next morning.

In Thana, Karkare left Joshi's house that afternoon, reaching Bombay Central station three hours before his train to Delhi was scheduled to leave. Karkare got a seat in the third class compartment and spent the time sitting on the platform waiting for the Frontier Mail.

In Bombay, Godse and Apte boarded their flight to Delhi. They occupied seats almost at the rear of the plane. Apte drew attention to himself by mildly flirting with the air hostess, Lorna Bainbridge. She remembered Apte and his friend because Apte continuously asked for coffee and sweets as a pretext to speak with the strikingly beautiful airhostess.

On reaching Delhi the two drove directly to the Old Delhi railway station and boarded the Grand Trunk Express, which would take them to Gwalior, a princely state which was in the process of being amalgamated into the Indian Union.

The train chugged into the station just before midnight. There were very few passengers alighting from the train at that hour. Outside the station, Nathuram and Apte asked a few tongawallahs if they knew Dr. Parchure's home. One of them, Gariba, agreed to take them there for a fare of one rupee. On the way the reins broke and they had to hail another tonga, being driven by Jumma.

Dr. Dattatreya Sadashiv Parchure sold home-made medicine to purify the blood and cure people of respiratory diseases. There was another reason why he was well-known: he was the founder of the Hindu Mahasabha in Gwalior and the head of a private army of thugs called the Hindu Rashtra Sena. He looked like a sadhu with his flowing beard and long hair but his eyes, from behind very thick lenses, flashed with fanaticism. He was known

to be capable of violent anger and for his vicious tongue, a modern day Rasputin. Nathuram was sure that Parchure would be able to get him a weapon, having once met him at a function of the Hindu Mahasabha in Gwalior. The two had also been together at a weapons training camp in the princely state of Alwar a few months back.

At a previous meeting, Godse and Parchure had discussed the possibility of merging the Hindu Rashtra Dal founded by Savarkar (Nathuram was its leading member) and Parchure's Sena, but the talks had floundered over the issue of leadership. Parchure had his own reasons to be angry with the Congress. The Maharaja of Gwalior, Jiyajirao Scindia (the anglicised version of Shinde), had ignored the claim of the Gwalior Hindu Mahasabha and invited a Congress ministry to be formed in Gwalior, thus robbing Parchure of the chance to become the chief minister of Gwalior. This had happened on 24 January and trouble between the Congress and the Mahasabha was at a peak. Parchure had already led a demonstration on the Lai Kothi.

The Parchures were a large clan; all the brothers and their families lived in a large family mansion on Station Road in the Lashkar or Cantonment area of Gwalior.

When Nathuram knocked at the doors of the Parchure Wada after midnight, he was met by Parchure's son Neelkanth, who told them to wait while he informed his father of their arrival. Parchure, who had only a few minutes back retired to his sleeping quarters, was a bit annoyed by this unannounced visit at such a late hour. He came down after a few minutes and ushered Nathuram and Apte into the public room. He asked Nathuram the reason for this unannounced visit. In a surprisingly frank manner, which suggested that Nathuram had absolute faith in Parchure, Nathuram told him that they had decided to murder Gandhi and he required Parchure's help in getting a gun for that purpose. Parchure asked the two to stay the night in his house and promised to do something the next morning.

In Bombay, that afternoon, Rana finally reached his destination after travelling through more than half of India. By the time he reached Bombay the three members of the gang had already escaped. Rana went directly to Jimmy Nagarvala's home, and spent a pleasant evening with him over drinks and dinner. He briefed Nagarvala about the investigation but decided to keep Madanlal's statement to himself. After a couple of drinks, the two called Sanjevi in Delhi, assuring him that they were on the job and would

keep him informed about any progress in the investigations. Nagarvala then informed Sanjevi about what he thought was the real conspiracy—kidnapping. Nagarvala claimed that there was a core group of twenty persons, each assisted by twenty dedicated volunteers, who were involved, and he would soon expose the entire plot and arrest all the major conspirators. Nagarvala warned Sanjevi to be extra careful about protecting Gandhi.

WEDNESDAY, 28 JANUARY 1948

At Birla House, Gandhi was engrossed in chalking out a blueprint for the future of the Congress. He was giving the finishing touches to a new constitution for the organisation. It was almost as if he was drawing up a testament for the party he had nourished and converted from a debating society of urban intellectuals into an all-encompassing national party.

He had meetings with R.R. Diwakar, Acharya Jugal Kishore and members of the Congress's Constitution Sub-committee. Then followed talks with Rajendra Prasad, Pandit Nehru, and Rajkumari Amrit Kaur. Now that freedom had been won for India, Gandhi wanted the people to turn their attention to constructive activities. In them he saw a rationale and the means for a government to be run well, keeping as its compass, the welfare of the people, and by putting the controls in the hands of constructive workers.

Continuing his interview with Vincent Shean, Gandhi said that the functions of the government could not be carried on without using force; he reiterated his conviction, that a man who wants to be good, and to do good in all circumstances, must not hold power. Is all government to stand still then? Shean wanted to know. Gandhi, always practical in thought and deed, replied, 'No. He, the man of nonviolence, can send persons to the government who represent his purpose and will. If he goes there himself, he exposes himself to the corrupting influence of power. But my representative there holds, as it were, a power of attorney only during my pleasure. If he falls prey to temptation, he can be recalled. But I cannot recall myself! All this requires a high degree of intelligence on the part of the electorate. There are organisations of constructive work. I do not want to send their workers to Parliament. These workers I want to stay outside and keep Parliament under check. The constructive workers will do so by educating and guiding the voters.'

Shean, who had read the *Bhagvad Gita,* asked, 'The whole of it is in defence of a righteous war. The Second World War was fought as a righteous war. Yet, violence is more rampant after it. What do you think?' Gandhi replied, 'See what is happening in India, in Kashmir. Yet, I have faith. If I live long enough, my followers will see the futility of it [employing force], and come round to my way.' He explained that, though the *Gita* was presented in the physical setting of a battlefield, the righteous war in its text referred to the eternal duel between right and wrong that constantly went on within the human heart. The thesis of the *Gita* was neither violence, nor non-violence: it advocated right, detached action pursued with right means, leaving the fruits of every action to the care of Almighty God.

The call of duty kept him going, but Gandhi seemed to be troubled by pre-sentiments as well. In a letter to a Gujarati friend, Gandhi said, 'I am still knocking about in a dark world. I do not intend to stay here for long. Whatever has to be decided will be decided within the next four days.'

At his prayer meeting that evening, the conversation steered towards South Africa, where Gandhi's social and political career had begun long decades ago, and where Indians were still fighting for their rights. He said, 'In South Africa, our people are fighting. In India, we have no laws depriving the people of the right of owning land or living wherever they please. That is so in South Africa. Indians there struggle to safeguard their rights and defend the honour of India. Their struggle has taken the form of satyagraha. The Indians are few in number, but if they are true satyagrahis, their victory is certain. I shall ask the government of South Africa not to be too severe with the satyagrahis who carry on their legitimate struggle with such decency. The government should understand their grievances, and come to a settlement with them.'

On board the Frontier Mail, Karkare was sitting in a crowded third class compartment. The small-time hotelier and Hindu Mahasabha activist was heading to Delhi on a mission which would bring him notoriety. But, as in all his previous actions, Karkare was going to be remembered briefly and then remanded to a life of ignominy and oblivion.

In Gwalior, at Parchure's home that morning, he sent his son Neelkanth and bodyguard Roopa to fetch Gangadhar S. Dandavate who knew people dealing in the sale and purchase of guns. When Dandavate arrived at Parchure Wada, he found Parchure in conversation with two men who were

introduced to him as Nathuram Godse and Narayan Apte of Poona. Parchure asked Dandavate to procure a revolver for his friend Godse, who offered to pay for the gun. Dandavate asked Parchure to give them his own weapon but Parchure angrily replied, 'I am not a fool to give my own gun which can be easily traced back to me. You do what you are told.' Dandavate promised to do his best and left. Parchure then left for his clinic.

In the afternoon, at about 12.30 pm, Madhukar K. Kale, a Hindu Mahasabha activist, visited Parchure's house. He wanted to know what the Mahasabha planned to do to protest against the Maharaja's decision to invite the Congress to form a government and ignore the legitimate claim of the Hindu Mahasabha. He found Parchure in conversation with two strangers and Dandavate. Both the strangers were holding country-made revolvers. Nathuram and Apte could not operate the guns. Dandavate offered to demonstrate and so they went out into the backyard. Here Dandavate aimed at a tree and fired a round. But when Nathuram tried, he was unable to compress the trigger. Nathuram requested Dandavate to get them a better piece. He said he was in a hurry as he was boarding the 3 pm train for Delhi. Dandavate said he could only manage to get a gun by the evening and the two could catch the night train. Nathuram agreed.

After Dandavate left, Parchure and his guests retired to the first floor guest rooms of his home. Kale witnessed the entire conversation and the trial of the guns that morning.

Dandavate went to Jagdish Prasad Goel, a gun dealer, who showed him a gleaming 9 mm Beretta semi-automatic pistol that he had recently acquired. He asked for Rs. 500 for the gun and seven rounds of extra ammunition; there were nine bullets already in the magazine. Dandavate said he would give him the cash after his clients had approved of the weapon.

Nathuram and Apte were delighted to see the gun. Although they had ample cash and were desperate for it, they haggled over the price. They offered Rs. 300 in cash and the country-made revolver Nathuram had in exchange for the Beretta. Goel was furious, and demanded the entire amount in cash or his gun back. Nathuram managed to convince Parchure to guarantee the balance amount and got to keep the gun for a down payment of Rs. 300. After dinner with Parchure they left for the station at 10.30 pm to catch the Bombay-Amritsar Express. That night the train was delayed by three hours.

The armed killers were on their way.

Karkare arrived at the Old Delhi station late in the evening. This time he did not look for a hotel, instead he spread his bed on the platform amidst hundreds of refugees and went to sleep.

THURSDAY, 29 JANUARY 1948

At Birla House, Gandhi was up soon after 3 am. He finished his ablutions and prayer in the cold, dark hours. The wind outside howled bitterly. He set himself to spinning on the charkha and dictating letters.

To a friend Sankaran, who had lost his daughter, he wrote: 'What comfort can I give? Death is a true friend. It is only our ignorance which causes us grief. Sulochana's spirit was yesterday, is today, and will remain tomorrow. The body, of course, must die. Sulochana's body has gone, taking her failings with her, leaving only the good behind. Let us not forget that or her. Be even more true now, in the discharge of your duty'.

That afternoon some refugees from Bannu, a town close to the India-Pakistan border in Gujarat visited Gandhi. They were survivors from the Gujarat train massacre and had come to meet Gandhi to express their anger. One of them said, 'You have done enough harm. You have ruined us utterly. You ought to now leave us alone and retire to the Himalayas.'

Gandhi replied, 'I cannot retire at anybody's bidding. I have put myself under God's sole command.'

The man persisted, 'It is God who is speaking to you through us. We are besides ourselves with grief.'

Gandhi patiently replied: 'My grief is not less than yours,' and was able to pacify the grieving refugees.

That evening, speaking at the prayer meeting, Gandhi narrated the incident and added, 'I cannot run away from you and enjoy the peace of the mountains. But if all of you go to the Himalayas, I might follow you as your humble servant.'

It had been a hectic day and by the evening Gandhi was exhausted. 'My head is reeling. And yet I must finish this,' he remarked to Abha, pointing to the draft of the constitution of the Congress, which he had undertaken to prepare for the CWC, and added, 'I am afraid I shall today have to keep late hours.'

At 9.15 pm, he finally rose to go to bed. It was his practice to have a casual, and often lighthearted, banter with those who sat around. That day he said, 'I allow the girls to become my walking sticks, but really I have

accustomed myself to not depending on anybody for anything. Girls come to me as to their father. Personally, it means nothing to me.'

Commenting on the political scenario, he wondered why some Congressmen, who had toiled and sacrificed for the country's freedom and on whom now rested the burden of independence, were succumbing to the lure of the office and power. 'Where will this take us? How long will this last? Shall we be able to maintain our prestige in the world? Where do I stand? What must I do to realise unruffled calm and serenity in the midst of disquiet?' Then in a tone of infinite sadness, he repeated the well-known verse of Nazir, the celebrated Urdu poet from Allahabad:

'Short lived is the splendour of Spring
in the garden of the world.
Watch the brave show while it lasts.'

The racking cough that had plagued him for the past few days started bothering him again. He had been advised to suck Penicillin lozenges to subdue the cough, but he reiterated, for the last time, his resolve to be cured by the power of Lord Ram's name alone. To Manu he said, 'If I die of a lingering illness, nay even by as much as a boil or a pimple, it will be your duty to proclaim to the world, even at risk of making people angry with you, that I was not the man of God that I claimed to be. If you do that, it will give my spirit peace. Note down this too that if someone were to end my life by putting a bullet through me—as someone tried to do with a bomb the other day—I met his bullet without a groan, and breathed my last taking God's name, then alone would I have made good my claim.'

At the Old Delhi railway station, Karkare got up and made his way to one of the public lavatories and then had some tea and biscuits at a tea stall. He was in a hurry to take up his vigil by the water fountain in the Queen's Garden across the road from the station.

Karkare hurried to take his position. The park had been occupied by homeless refugees. After a while he decided that he was too conspicuous and started walking round the periphery of the garden. He sat down to chat with someone who had set up a tea stall. Karkare learnt that he was a refugee who had lost his home and family during the riots and had managed to escape to Delhi with less than what could be stored in one small trunk. After spending time walking and chatting, Karkare was beginning to worry.

The objects of Karkare's wait were still travelling towards Delhi from Gwalior. En route, their train had been further delayed, and instead of

reaching Delhi in the early hours of the morning, they reached at mid-day. Nathuram went to the booking office to get a retiring room. The booking clerk, Sundarilal, asked him to come back later. They went back at around 1 pm and found that a room was available. Sundarilal allotted Room 6 at the Delhi main station to Nathuram Godse, who gave his name as 'N. Vinayakrau'. The two then had a hot meal at the railway restaurant and rested for a while. Surprisingly they did not bother to look for Karkare. At about 6 pm that evening, Nathuram rang for the room attendant Hari Kishan and gave him some clothes to be washed. Hari Kishan asked Jannu, a shoeshine boy, to wash the clothes and deliver them to Room 6.

Karkare kept up his vigil till the early evening. He had survived by drinking innumerable cups of tea and puffing on several bidis. He finally saw his two companions emerge from the railway station and walk up to the fountain.

The three of them then walked back to the retiring room. Behind closed doors, Nathuram rummaged through his trunk and brought out a gleaming blue-black pistol. Karkare had never seen such a firearm.

'What about ammunition, where do the bullets go?' he asked.

Nathuram held up a small packet tied in a handkerchief, which contained seven bullets.

The three then left to walk down to Chandni Chowk. On an impulse, they stopped at a roadside photographer's kiosk, where Nathuram had his picture taken. He ordered three copies and the photographer promised to keep them ready within an hour. After dinner, Apte and Karkare went to see a film, while Nathuram said he wanted to retire early. On his way back he collected the photographs.

After the movie Apte excused himself as he wanted to visit Delhi's red-light area. The casanova could not wait to get his hands on Delhi's famous nautchgirls.

Karkare reached the station well past midnight. Not wishing to disturb Nathuram, Karkare lay down on the platform just as he had done the previous night.

FRIDAY, 30 JANUARY 1948

At Birla House, the day began as an ordinary winter day. The inmates went about their routine chores. The Birla family, one of India's leading industrial families, occupied a major part of the house. The traditional Marwari

household had awakened to the drone of spinning wheels. In the past few months, Seth Ghanshyamdas Birla and his family had become used to this and many other events happening in their home.

For the subject of everyone's attention, Mahatma Gandhi, this was a day like all the others in his life of seventy-eight years, three months and twenty-eight days. Ever since the death of Ba his personal needs were taken care of by young Abha, his grand-niece in-law, and Manu, his grand-niece. Manu begged to be excused from accompanying him on his morning walk since she wanted to powder some cloves for his jaggery and clove-powder lozenges, which he took to relieve his cough. Gandhi, who did not approve of anyone missing their duty in the present to anticipate and provide for the future, admonished Manu, 'Who knows what is going to happen before nightfall or even whether I shall be alive? If at night I am still alive you can easily prepare some.'

Gandhi still had to finalise the draft of the new constitution for the Congress party. He had to give finishing touches to the vision he had dreamed for India, his last will and testament for his beloved country. Pyarelal Nayyar, his efficient secretary ever since the death of Mahadev Desai, was to check and correct the final draft which Gandhi would complete after his morning walk. Congressmen were not going to like his suggestion of disbanding the party and forming the Lok Sevak Sangh, a force of volunteer workers who would take up the work of rural development and social reforms. The ever-increasing piles of correspondence needed to be answered. Margaret Bourke-White, the photographer from *Life* magazine, wanted to shoot a photo feature with him. The French photographer Henri Cartier Bresson was continuously ambushing him with his camera.

At midday, Gandhi, as was his habit, took a brief nap on a cot outside his room. Manu noticed a young man moving around in the rooms occupied by Gandhi and his entourage. She did not pay much attention to him, but felt that he seemed to be there for a reason other than Gandhi's darshan. He started to question Manu about where Gandhi sat; where he worked; when he ate; when he slept. Finally she excused herself. People often came to see how Gandhi lived and so on, and so this was nothing unusual, Manu thought to herself. A few minutes later, she looked out to see if Gandhi had woken up. She saw he was still sleeping, and standing a few feet away was the same hawk-eyed young man, staring intently at him. When she looked

at his face, Manu felt a chill go down her spine. Fearing that he would disturb Gandhi's sleep, Manu walked up to him and said, 'Bhai, Bapu is resting, please come back later.' The young man seemed to snap out of a trance and, without uttering a word, turned around and walked away. Manu was not going to forget his eyes and the expression on his face in a hurry.

After he woke up, Gandhi discussed the situation in Noakhali with Pyarelal, who had been living with volunteers as a peacekeeper there. Just the previous day Gandhi had sent a message to Dr Shyama Prasad Mukherji, one of the founders of the Hindu Mahasabha, who was also a member of the Central Cabinet, requesting him to use his influence over the more fanatical elements of his party. The press and sources close to Gandhi had reported that many of these fanatics had been making increasingly rabid comments in their public speeches, which were inciting violence. Of late, they had been openly issuing threats to kill Congress leaders. Gandhi felt that there were other ways of voicing their grievances and Dr. Mukherji, as a member of the Congress government, should silence those fanatics in the interest of national unity and in the effort to bring peace to a nation which was being torn apart. Dr. Mukherji was hesitant and showed his disinterest in the matter. The extremist fringe of the Hindu Mahasabha had already hijacked the party and the moderates had no say in its running or ongoing campaign of spreading hate.

Amidst all this, Gandhi also planned to visit Sabarmati Ashram, which he had abandoned when he left on the Dandi Kooch in 1930. Sevagram had become the nerve centre of activities. He was planning on leaving for Wardha the very next day, accompanied by Dr. Prasad and members of the CWC. Prior to that, there was a very important task for him. Lord Mountbatten had briefed him about the growing rift between his two proteges, Patel and Nehru. Their ego-clashes threatened to split the Congress and throw the functioning of the Indian government into total disarray; only Gandhi could bring about a rapprochement, he said. Gandhi assured Mountbatten that he would meet and request Patel to be magnanimous and work unitedly with Nehru. Patel was headstrong, but as the elder statesman of the two and with vaster experience, he would understand the need for two of India's most powerful politicians to work unitedly.

Nehru was known to be impetuous and impatient with criticism and divergent views. He could be difficult to work with, but Patel would have to

handle him carefully and be a stabilising influence on the government in these trying times. If everything else failed, then one of them would have to resign in the interest of the smooth functioning of the government and for the sake of unity. Gandhi decided to talk to the two during his post prayer meeting. Gandhi knew that Patel was smarting over the fact that he had sided with Nehru in the leadership battle of the Congress party. He was also aware that, in the recent past, Patel had displayed his displeasure at the influence exerted by Gandhi over the functioning of the Indian government. But he trusted Patel enough to be sure that he would listen to him and so he had kept his afternoon free for him.

It was nearing 4 pm. Patel was scheduled to arrive any moment.

At the Old Delhi railway station, Nathuram got up early. When Karkare entered the room he found that Apte had returned after his night of revelry. After a bath the three of them went to a non-vegetarian restaurant at the station, run by Brandon & Co. Why they went to a non-vegetarian restaurant is a mystery as both Nathuram and Karkare were strict vegetarians. As they sat down, a waiter walked up to them and said in Marathi, *'Namaste Saheb, lamb pravas kelay vat ta'*, 'Sahibs, you have come a long way from home'. For a split second, the three panicked. Nathuram, regaining his composure, replied, 'You too are far from home. The last time I saw you was at the Poona station restaurant.' The waiter had often served Nathuram and Apte. The last time they had visited the retaurant at Poona, Apte had suggested that they should try once more to kill Gandhi; the same waiter had served them that day. The waiter, recently transferred to Delhi from Poona, was delighted to meet folks from home. For the three gang members, it was an ill omen to be recognised so easily on that day.

They ordered three plates of buttered toast, tea for Apte and Karkare and English coffee for Nathuram. While they were waiting for their order to arrive, Nathuram brought his hands together and crossed them at the wrist indicating being handcuffed. After breakfast they went back to their room and locked themselves in. Nathuram wrote three letters. He addressed one each to Apte's home and office address in Pune and one to Karkare's address in Ahmednagar. He enclosed copies of the photograph taken the previous night and wrote explaining his actions to his friends. Nathuram was creating an alibi for his co-conspirators to establish that they were not with him in Delhi on that day. They now got down to discuss the plan for that evening. They were aware that the police presence at Birla House had

been doubled since the 20th and feared some policemen from Poona could recognise them.

Apte suggested that Nathuram could impersonate a photographer and carry a tripod and camera with a black hood from under which Nathuram could shoot at Gandhi. This was rejected as impractical as they may not be allowed to get too close to Gandhi. Nathuram would have to take a shot from far and no one was confident about his marksmanship. Apte's next suggestion was immediately accepted. He suggested that Nathuram hide under a burqa, which would also create the false impression that he was a Muslim. This way, another round of retaliatory violence could be sparked off. Apte and Karkare immediately rushed off to Chandni Chowk where many shops specialised in stitching burqas. They finally got one for fifty rupees.

In the meantime, on an impulse, Nathuram left for Birla House. He wanted to have a last look around. Surprisingly, he was neither stopped nor questioned. He walked into the rooms occupied by the Gandhi entourage, where he met Manu. He then saw Gandhi sleeping on a cot on the lawns. Nathuram walked up to his prey. This close to the man he was determined to kill, he went into a semi-trance, and was shaken out of it by Manu. He turned around and rushed out of Birla House. He took a tonga to the railway station and reached a few minutes before his companions came back. He kept his little escapade a secret from them.

Nathuram tried on the burqa. It was a perfect fit but he got entangled in the folds of the loose fitting apparel and could not find the revolver in his pocket. When he tried to walk, he almost tripped and fell. This idea was also a non-starter. Nathuram discarded the burqa, and Apte uncharacteristically grumbled about the waste of money.

With no plan for the evening's attempt, they took a cab to Birla Mandir, a temple built by the Birla family, very close to the Hindu Mahasabha Bhavan. They walked into the woods behind the temple, and almost at the same spot where they had tried out their guns ten days ago, set up a target on a tree trunk. Nathuram measured twenty-odd paces from the tree and, taking up position, he squeezed off two shots. Both of them hit the tree in the close vicinity of the target. According to Karkare, Nathuram practiced shooting from various distances. This could not have been true. They had been given only seven extra rounds of ammunition in Gwalior. Also, the noise of repeated gunfire would have definitely attracted the attention of

forest guards. On the way back, Nathuram told the others that the idea of disguising himself was not working. Instead he would wear something loosely resembling a uniform. On the way back they bought a blue-grey shirt with large pockets and shoulder flaps. They also bought a khaki cap, which resembled an army uniform.

They were back at the retiring room by 1 pm. Nathuram tried on the shirt, which fitted well. It was already time for them to vacate their room. He requested Sundarilal to extend the booking for another twenty-four hours, but the clerk said he could do that only on the orders of the station superintendent. An argument ensued between the two. An infuriated Sundarilal insisted that Nathuram, whom he knew as 'N. Vinayakrau', immediately vacate the room. He stood around till the three walked out with their baggage. Sundarilal then ordered Hari Kishen to lock the room.

This incident stayed with Sundarilal. Hari Kishen, Jannu and the waiter at the non-vegetarian restaurant had all also had a good look at them. Nathuram's amateurish attempt to create an alibi for his accomplices had already been blown away by their own actions. Right from 9 January they had left a mile-wide trail, which would eventually lead the police to all the gang members and their accomplices.

The three then went to the third class waiting room where all passengers were allowed to stay. This was a bare hall with a few benches and tables and was crowded with families and their baggage. Luckily they found a vacant bench. Nathuram decided to stretch out, while the other two sat on the floor next to him. Apte suggested that they should go to Birla House once and see if there were any familiar faces amongst the policeman patrolling there. Apte and Karkare took a cab to the intersection of Akbar Road and Albuquerque Road and walked down the entire length of the road twice, keeping a close watch on the gate. They were relieved that nobody recognised them.

They took a taxi from near the Edward Road Officer's Mess and headed towards Old Delhi railway station, reaching at about 3 pm, where they found Nathuram reading a novel. They sat talking about inane things. The trio was gripped by the emotions of those embarking on a momentous mission. They knew that their actions would change the history of the world; they also knew that Nathuram would be a condemned man. At a quarter past four, Nathuram got up and said, Ata nighayala pahije', 'Must leave now'. He patted his pocket to reassure himself that the gun was there.

'Should we come along?' Apte asked. After coming all the way from Bombay, it was indeed a very surprising question. If they were not going to act as Nathuram's wingmen while he took his position to kill Gandhi, why had they accompanied him?

'Why not?' Nathuram replied. 'Ata ith paryant allat tar shevat paryant raha', 'After you have come so far, you might as well accompany me'. Saying this Nathuram walked off.

After half an hour, Apte and Karkare took a tonga to Connaught Place. They left their bedding and bags in the waiting room. After walking a few paces they got into another tonga and got off a couple of hundred yards away from the gate of Birla House. The two then mixed with the crowd and walked into Birla House. When they reached the prayer grounds they found that the lawns were packed to capacity. Some people were sitting, some were standing while many others were pacing around. Everybody was looking towards the door through which Gandhi emerged every evening to attend the prayer meeting. It was 5 pm. Gandhi was late. There was a murmur in the crowd; he was never late for his prayers. Had something happened? Would he not attend the prayers this evening?

Apte and Karkare found Nathuram waiting on the lawns between the dais and the steps that led up to the terraced garden where the prayers took place. Gandhi would climb up these steps; he would have to go past them on his way to the dais. Apte and Karkare positioned themselves on both sides of Nathuram, just a few paces behind him. None of them showed any signs of recognition.

The time was now fifteen minutes past five. Suddenly there was a murmur; Gandhi had emerged from his room and was slowly making his way towards the prayer lawns.

Nathuram, flanked by Apte and Karkare, now very close behind him, moved to a spot from where it would be easy for them to move directly in Gandhi's path.

Gandhi had reached the steps; the crowd surged towards him. It was threatening to engulf him. It was lucky for the murderers that Gandhi wasn't accompanied by the burly Sikh who normally always preceded him and cleared a path for him. The crowd was disciplined and a path opened up for Gandhi to walk through.

Gandhi had taken his hands off the shoulders of Abha and Manu and was returning the greetings of the crowd with folded hands, while making his

way towards the dais.

Nathuram made his move. He moved in from the right and stepped into the path directly in front of Gandhi. Gandhi was a few paces away when Manu saw the young man blocking their path. Nathuram stood with folded hands and said, 'Namaste, Bapu'. Manu requested the young man to move away saying 'Brother, Bapu is late for the prayers ....' Even before she could finish her sentence, the young man had pushed her aside. The spittoon and rosary she was carrying fell down; Manu too tumbled to the ground. As she fell, she recognised Nathuram. She had seen him that afternoon. The next instant Godse whipped out a gun, pointed it at the Mahatma and squeezed off one shot after the other.

Three gunshots rang out. Manu heard Gandhi utter 'He Ram' and then he fell.

It was seventeen minutes past five on the evening of 30 January 1948.

The history of India had changed. The world would no longer be the same.

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* Jamnalal Bajaj, the patriarch of the Bajaj family, whom Gandhi considered his fifth son.

* The Congress, long ago, had declared 26 January as Independence Day. Bapu held to that significance still, though 15 August had supplanted it in reality.

4

BUNGLING THE INVESTIGATION

'My faith does not allow me to put myself under any human protection at prayer time, when I have put myself under the sole protection of God.'

– MAHATMA GANDHI
21 January 1948

It is difficult to protect someone who refuses to be protected by mere mortals. Gandhi was one such person.

After the failed murder attempt on the 20th, Union Home minister Patel had suggested that more police be deployed to protect Gandhi; the number was increased from five to twenty-five plainclothes policemen. His suggestion of frisking every person who attended the prayer meetings was, however, rejected by Gandhi. He refused to have police present during the prayer meetings, and also did not agree to curtail the number of people who would attend. 'My faith does not allow me to put myself under any human protection at prayer time, when I have put myself under the sole protection of God.'

After Madanlal's arrest, it was initially believed that he had acted on his own; an act of an emotionally distressed refugee. But from Choturam and Sulochana Devi's statements, the police realised that there was more than one person involved in the conspiracy. During his interrogation, Madanlal kept repeating: '*Woh phir ayega',* 'He will come back'. The Delhi police came under immense pressure to arrest Madanlal's accomplices.

Inspector-General of Police and Director of the Intelligence Bureau T.G. Senjevi was entrusted with the case. When he heard about the involvement of more than one person in the attack and Madanlal's one chilling statement, he assigned his best interrogators to get more information from him. Within two to three hours, hints about the identities of the accomplices and the conspiracy were available to the police. Madanlal had talked about 'Karkare Seth' of Aurangabad, and the editor and publisher of *Hindu Rashtra* and *Agranee* and other details. Within a couple of hours he led them to the Marina Hotel where the police found some evidence. The names of the

occupants of Room 40 in the hotel register were given as 'M. Deshpande' and 'S. Deshpande', but the laundry given in by the residents bore the initials 'N.V.G.'. Within twenty-four hours the Delhi police had a detailed statement from Madanlal. He spoke Hindustani and Punjabi so the question of using interpreters did not arise. The senior policemen realised that the origin of the gang was in the Marathi-speaking areas of Bombay province and the investigations had to be carried out with the cooperation of the Bombay police.

On the evening of the 21st, after reading the news reports about the bomb attack on Gandhi and the arrest of a Punjabi refugee Madanlal Pahwa, Dr. Jain of Bombay realised that what Madanlal had told him a few days back about his involvement with a gang which was going to 'overpower' Gandhi was true. He then went and met Home minister Morarji Desai, gave him all the details and requested that his identity be kept secret. Desai's behaviour was very surprising. He was known as a staunch Congressman and was famed as a meticulous and disciplined person. However, he did not call any senior police officer to his chamber, nor did he make any notes of Jain's information. Desai could have even ordered Jain's arrest and interrogation. He did none of this.

What he did do was call Deputy Commissioner Nagarvala after Jain left. When Nagarvala expressed his inability to come immediately, Desai requested him to meet him at the Bombay Central railway station later that evening, behaving as if there was no urgency. Before boarding the train to Ahmedabad, Desai asked him to investigate the matter and arrest the person known as 'Karkare Seth'. Desai also mentioned Madanlal's connection with Savarkar, and asked him to watch the latter's house. Desai added that he was meeting Patel in Ahmedabad and would pass on the information he had to the minister.

Nagarvala did not bother to enquire about Desai's source of information. With the information he had, Nagarvala decided that his best bet was to order a round-the-clock surveillance of Savarkar's home. He ordered his officers to get information about any conspiracy by the RSS and Hindu Mahasabha fanatics in general, and the involvement of refugees, in particular. As we already know, two policemen from Delhi, Jaswant Singh and Inspector Balkishen, were rushed to Bombay by plane, with a copy of Madanlal's statement. They were also told to go to Poona to meet Deputy

Assistant Inspector-General of Police Raosaheb Gurtu and brief him about Madanlal's statement.

As from the colonial times, it is mandatory in India to register newspapers and periodicals under the Press Act. One visit to the department of the registrar of newspapers would have revealed the identity of the editor and publisher of *Agranee* and *Hindu Rashtra*. Neither Senjevi nor Nagarvala did this. Due to its rabid editorial content the two periodicals had been fined on many occasions. Since 1946, *Agranee* had been under observation by the Bombay provincial government. Thus, a detailed report containing its editorial record with their office details, name and address of its editor and publisher were prepared by the local intelligence department of Poona. A copy was sent to the provincial Home department, another to the Union Home department and a third to the Intelligence Bureau, the department headed by Senjevi, the chief of investigation in the bomb attack case. This came to light only twenty years after Gandhi's murder, when the hearings of the Kapur Commission were going on and the commission's officers dug up the document.

In the days after the 20th the gang leaders freely moved about Bombay, visiting their regular haunts, trying to source funds and weapons. Yet the police could not activate their network of informants and get any information about the killers. Nagarvala had evolved his own theory about the conspiracy. He believed that there was a core group of twenty to twenty-five people actively conspiring to attack and kidnap Gandhi. This core group, he believed, was assisted by a team of twenty people for each of the members of the core group who had access to a huge cache of arms and explosives. Nagarvala was confident that, given time, he would expose the entire plot and arrest all the members of this sinister organisation. Nagarvala had ordered a twenty-four hour surveillance on the Hindu Mahasabha office in Parel, but the accused again outfoxed him—they used the office in Dadar as their rendezvous.

The surprising bit was that, although he had heard about Karkare's involvement from two different sources, Morarji Desai and the Delhi police, Nagarvala did not attach any importance to it. He merely brushed it away as a planted attempt to throw him off the scent from the real plot. Instead of establishing contact with the Ahmednagar police to get information on Karkare's whereabouts, Nagarvala contacted his brother, an honorary

magistrate. The next day Nagarvala's brother informed him that Karkare was not in Ahmednagar.

To the Delhi police officers, his orders were that they should not advertise their presence in Bombay. He ordered them not to wear their uniforms and asked them to check out of their hotel. The officers claim that they had more than three interviews with Nagarvala during their two-day stay in Bombay, but at every meeting he was extremely rude and abrupt with them, insisting that they leave the Bombay police alone and go back to their home base. Surprisingly, the two officers did not try and get in touch with their superiors in Delhi to report their predicament or receive fresh orders. On the afternoon of 23 January the officers met Nagarvala again, who told them to leave immediately for Delhi.

The officers had been ordered to go to Poona and hand over a copy of Madanlal's confession to the police. If the Poona police had been informed about *Agranee* and *Hindu Rashtra*, they would have immediately revealed the identity of Nathuram Godse and Narayan Apte. But after the reception they got in Bombay, Jaswant Singh and Balkishen did not want to go to Poona and they returned to Delhi.

It was now three days since the attack on Gandhi and Madanlal's arrest and the police had made no progress. Truly shocking was the complete lack of co-ordination between the Delhi and Bombay police departments was truly shocking. Nagarvala was not informed about the recovery of unclaimed laundry carrying the initials N.V.G., and Senjevi was not informed of Jain's revelations. This information, when tallied with Madanlal's confession, would have proved invaluable.

Jaswant Singh and Balkishen returned to Delhi on the afternoon of the 24th and rushed to their headquarters where they filed a very critical report about the treatment they received at the hands of the Bombay police. 'We were virtually placed under house arrest throughout our stay in Bombay', was their bitter lament. Senjevi read their report the next day. He did not confront Nagarvala, deciding that he could not afford to antagonise him at this stage of the investigation. Senjevi rightly believed that the conspirators belonged to Bombay province. U.H. Rana, deputy inspector-general of Poona CID, was in Delhi for some work. When Rana came to his office Senjevi briefed, him about the conspiracy and the information gleaned from Madanlal till then. Senjevi gave him a copy of Madanlal's confession, this time along with its English translation, and asked him to take it personally

to Bombay. There was an afternoon flight to Bombay which Rana should have taken, but to compound the errors already committed by the police, he decided to take a train to Bombay via Allahabad, adding sixteen hours to his travel time. To add to all this, when in Allahabad, he decided to take a break to perform some religious rituals. It was as if he was on a personal pilgrimage and not rushing with documents of vital importance, which could have saved Gandhi's life. He finally arrived in Bombay late on the evening of the 27th.

That evening Nagarvala and Rana spoke to Senjevi from the former's residence. Nagarvala told Senjevi he was not going to act on the confession as he was very close to exposing the real conspiracy and promised to send a detailed report. Senjevi did not reprimand Nagarvala, his junior, for pursuing an uncorroborated line of investigation and ignoring a confession backed by the statements of three eye witnesses. Surprisingly, he agreed to wait for Nagarvala's report. The promised report was on Senjevi's desk on the morning of 31 January 1948, more then twelve hours after Gandhi was murdered.

On the 29th Rana talked about the clues given by Madanlal to Raosaheb Gurtu. Gurtu immediately recited from memory the names of Nathuram V. Godse, and Narayan D. Apte as the editor and proprietor of *Agranee* and *Hindu Rashtra* and Badge as the proprietor of Shastra Bhandar. Gurtu even furnished photographs of Apte and Karkare and gave them to Rana. Rana, however, did not divulge this information to Nagarvala or Senjevi. He told the Kapur Commission that he did not trust the telephone system as the operators had habit of listening in.

When questioned later about his slow journey to Bombay, Rana said that Senjevi had asked him to travel discreetly and so he decided to travel via Allahabad. His irrational explanation was accepted. Why Senjevi asked Rana, the head of the CID, to act as a messenger boy and not carry out independent investigations based on the confession, is also a mystery. Nagarvala never revealed the reason for his obstinate belief that the real conspiracy was of kidnapping and not murder. He was never asked to explain himself. Surprisingly, Patel appointed him overall in-charge of the murder investigation after Gandhi was shot; the man who had completely bungled the investigation between 20th and 30th January, was rewarded by being put in charge of the investigation and arrest of the accused in the Gandhi murder case.

The other unexplained lapse on part of the police was over the press release they had found in Marina Hotel. It established the fact that the occupants had connections with the Hindu Mahasabha. A casual questioning of the office bearers would have shed some light on the identity of the accused. If the Delhi police had spoken with Ashutosh Lahiri, they would have got the identities of Nathuram V. Godse, Narayan D. Apte and Vishnu R. Karkare. In an affidavit submitted to the Kapur Commission, Lahiri complained that the police did not bother to question him between the 20th and 30th.

That the police must have got a lot of information about the identities of the gang members and their sympathisers is apparent from the speed of the arrests of the accused and the identification of all the witnesses in the Gandhi murder case after 30 January. Within fifteen days of the murder the entire gang was behind bars. Even the identities of their sponsors and suppliers were established and many of them were detained and questioned. It is unlikely that Nathuram would have revealed information to the police as willingly as Madanlal. The police did not use third degree methods on him. Nathuram, who complained about every imagined and actual infringement of his rights or about ill-treatment to the court, never accused the police of harassment or torture.

There was another glaring lapse on the part of the police. No policemen from Bombay province, especially from Poona and Ahmednagar, were brought to Delhi to help in the investigations and to act as watchers and spotters at Birla House, to ensure that known troublemakers from their home province did not reach Gandhi. Apte and Karkare were apprehensive about this and had gone over to Birla House in the afternoon of the 30th to see if any police officers from their province were there. The murderers had thought of this possibility but the police had not. The Bombay city and provincial police claimed that it was up to the Delhi police to ask for such help; under the police service rules they could not impose their personnel on another department. Yet, on 1 February 1948, four constables from Poona were sent by air to Delhi to look for Apte and Karkare and to ensure that they created no further mischief. What has never been found out is if this was done on a request from the Delhi police or as an initiative of the Poona police.

Nagarvala had, in the only act of intelligent police work, ordered the arrest of Badge on 24 January. Not that he had any evidence to order the

arrest; Madanlal had been found carrying a grenade with him and had confessed that the murder had been planned in Poona and Badge had a long record as a weapons dealer there. However, this order too was a victim of inter-departmental non-cooperation. Poona police fell under the Bombay provincial police department. For the next seven days they sat on the order; Badge was eventually arrested on the morning of the 31st. The Poona police claimed that Badge had gone into hiding in the forests surrounding Poona, but he told the police that, after arriving from Delhi on the 22nd, he had been in Poona at his house.

On 9 January Inspector Razak had recommended that Karkare and Madanlal be detained. It took the department three days to process the recommendation and issue warrants; by then both had left Ahmednagar. Karkare was an influential person and it would not be surprising if a friend in the department had tipped them off about their impending arrest. Inspector J.N. Joshi, a stenographer in the police department, had run into Madanlal at the railway station on 9 January 1948; in fact, he had spoken to him. He recalled that Madanlal had mentioned that he was going to Delhi to get married. Razak's recommendation must surely have passed Joshi's office: Karkare was an elected member of the Ahmednagar municipality. Joshi did not bother to tell his superiors or his subordinates that at least one of the persons they wanted to detain, had already flown the coop. After Madanlal's arrest, the police produced two letters for Madanlal received at Dr. Jain's address in Bombay. They were written by Shewanta, Madanlal's girlfriend in Ahmednagar. However, the police did not question her; they pursued the lead only after Gandhi's murder.

After the murder, the Home ministry launched an investigation to find out the extent of infiltration of the RSS and Hindu Mahasabha cadres into the administrative services, the police forces and the armed forces. The presence of a large number of active members was found in all wings. Apart from the active members, there were numerous sympathisers who encouraged Hindu extremist groups.

Pyarelal, in his book *Mahatma Gandhi—The Last Phase,* Volume 10, Part-II, has referred to this unexplained lethargy on the part of the police. He writes: 'What, however, surprises one is that in spite of the definite and concrete information of which the authorities were in possession, they should have failed to trace and arrest the conspirators and frustrate their plan. The failure was an index of the extent of the rot that had permeated

many branches of the services, not excluding the police. In fact, later it was brought to light that the RSS organisations had ramifications even in government departments, and many police officials, not to mention the rank and file, gave their sympathy and even active help to those engaged in RSS activities. Even before the bomb explosion, some of the refugee camps in Delhi were known to be buzzing with loose talk about the assassination of Gandhiji and other Congress leaders who enjoyed the reputation of being opposed to communalistic ideologies. A letter which Sardar Patel received after the assassination from a young man, who according to his own statement had been gulled into joining the RSS organisation but was later disillusioned, described how members of the RSS at some places had been instructed beforehand to tune in their radio sets on the fateful Friday to hear the "good news". After the news, sweets were distributed in all RSS shakhas. When the RSS was later banned by an order of the government, the local police chief in one of the Indian states, according to the Sardar's correspondent, sent word to the organisers to close their office "for thirteen days" as a sign of mourning, and disperse but not to disband. The rot was so insidious and wide spread that only the supreme sacrifice could arrest or remove it'.

Judge Atmacharan, the presiding judge hearing the Gandhi murder trial, was extremely critical of the police's role in abetting his murder. He passed severe strictures against the police in his judgement. T may bring to the notice of the Central Government the slackness of the police in the investigation of the case during the period between 20-1-1948 and 30-1-1948. The Delhi Police had obtained a detailed statement from Madanlal K. Pahwa soon after his arrest on 20-1-1948. The Bombay Police had also been reported the statement of Dr. J.C. Jain that he had made to the Hon'ble Mr. Morarji Desai on 21-1-1948. The Delhi Police and the Bombay Police had contacted each other soon after these two statements had been made. Yet the police miserably failed to derive any advantage from these two statements. Had the slightest keenness been shown in the investigation of the case at that stage the tragedy probably could have been avoided.' Short of holding the police guilty of assisting in Gandhi's murder, the presiding judge had passed one of the most adverse comments on record against the police.

The J.L. Kapur Commission instituted in 1965 to look into the allegations that many people had information on the planned attempt on

Gandhi's life, also passed many adverse remarks against the inefficiency and inaction of the police.

If on the evening of 30 January 1948 Nathuram was the one who pressed the trigger of the 9 mm Beretta, he was very efficiently assisted by the criminal negligence and the glaring lethargy displayed by the police. In hindsight it can only be said that, in Gandhi's murder, the police by their negligence and inactions were as much guilty as the murderers themselves.

After the 30th, the police was very quick in arresting the accused. First, Nathuram was taken to the Tughlaq Road Police Station and formally arrested for the murder of Gandhi.

At 5.30 am on the 31st, Inspector Oak of the Poona district police arrested Badge from his home. When asked where Madanlal had got the explosives from, Badge confessed to having supplied them. However, he denied that he was part of the conspiracy to kill Gandhi. He recounted the events from day one in as much detail as he could remember. Nagarvala then led a raid on Savarkar Sadan on the afternoon of the 31st. When they reached there, Savarkar met them outside his first floor room. On seeing Nagarvala, he immediately asked, 'So you have come to arrest me for the murder of Mahatma Gandhi?' Nagarvala was surprised that Sarvakar should pre-empt him in such a way, and said they were there only on a routine search and seizure operation. Incriminating documents were seized from his residence, establishing the close relationship that the gang members in general, and Nathuram and Apte in particular, enjoyed with Savarkar. He was finally detained on 5 February 1948 and was formally arrested on 11 March.

Nagarvala went to Poona looking for Apte, Gopal and Shankar on 5 February. At Apte's home he was told that they had not seen or heard from him for the past twenty days. Shankar had gone to Kolhapur to meet his mother and hadn't returned. He walked into the Bombay Police Headquarters on the 6th and was greeted with a hard slap by Nagarvala.

Gopal was at his ancestral home in Uksan; he was arrested and taken to Bombay. On being interrogated he told the police that he had given his revolver for safe-keeping to Pandurang Godbole who used to work in his elder brother, Dattatreya Godse's company, Udyam Engineering. The police brought Gopal back to Poona on the 8th and took him to Godbole's home. After he learnt that Gandhi's murderer was Gopal's brother, Nathuram, Godbole had panicked. He had agreed to hide Gopal's gun and was certain

of being implicated in the murder case. He spoke with a friend, Kale, who agreed to dispose off the gun for his friend. After sustained interrogation Godbole admitted that he had handed over the gun to his friend. Kale was immediately picked up and he admitted that he had thrown away the gun that very night Godbole handed it over to him. He had thrown it in the shrubs opposite the gate of Ferguson College in Poona. The gun was never found. Kale and Godbole were arrested and kept in custody for questioning; they spent six weeks in the lock-up.

By now Nagarvala, acting on Badge's confession, had picked up almost all the accused except Apte and Karkare. After Nathuram's arrest, a diary was recovered from him, which proved to be a valuable source of information. He had kept very detailed notes of the money spent from the joint account controlled by Apte and him. Details like 'Rs. 250/- to Gopal'; 'Rs. 50/- to Bandobhau'; 'Rs. 305/- Bombay-Delhi Aeroplane', were all noted down. Although Nathuram claimed that he was acting on his own, from his notes the police surmised that there was a larger group at work. Nathuram and Apte called Badge 'Bandobhau', Gopal could only be Nathuram's brother Gopal Godse, and Rs. 308 for 'Bombay-Delhi Aeroplane' meant that two tickets had been purchased as one ticket cost Rs. 154 in those days. Not only this, the diary also had an account of his movements between the 20th and 30th of January. He had mentioned staying at Elphinstone Hotel in Bombay from the 24th to the 27th. On 5 February two CID officers from Bombay visited the Elphinstone Hotel on Hornby Road, but found no record of stay. The manager asked them if they meant Elphinstone Annexe at Carnac Road. He spoke to the manager of the Annexe, Kashmirilal, about the information the police required. The Annexe is a small hotel; the gallery which doubles up as the lobby could be clearly seen from where Kashmirilal was speaking on the phone. Apte and Karkare were standing just outside their room when the call came through. Kashmirilal noticed them. Govinda, a room attendant, was standing close to Kashmirilal, and mentioned that one of the occupants of Room 5 matched the description provided by the police. Hearing vague references to 24 January, Apte asked Kashmirilal what was going on. After reassuring him that it was nothing, Kashmirilal rushed to Elphinstone Hotel with the guest register where the two cops were waiting for him. Suspicious, Apte and Karkare immediately picked up their bags and checked out of the hotel; they beat the police by half an hour.

On the evening of the 30th, Apte and Karkare had slipped out of Birla House using a side exit, and made their way to Old Delhi railway station. They spent the night on the platform and had seen the police arrive at the station and carry away Nathuram's luggage from the retiring room. Apte and Karkare planned to meet some sympathetic politicians in Delhi, who they knew were supporters of the Hindu Right-wing, to get funds and documents to help them to escape. However, when they tried to reach their benefactors the next day, they got caught in Gandhi's million-strong funeral procession. They made their way back to the station and caught the Express train to Allahabad as they suspected that the trains to Bombay would be watched.

As per Apte's instructions, Manorama Salvi had dutifully sent a telegram on the morning of 31st addressed to the secretary of the Hindu Mahasabha in Delhi. It read: 'ARRIVING DELHI ARRANGE FOR DEFENCE STOP N STOP D STOP APTE STOP'. Apte and Karkare reached Bombay on 2 February. They first went to the Sea Green (North) Hotel. Satyavan Rele, the manager, was unable to give them a room, and offered them two beds in different rooms occupied by other people. On the 3rd they checked out and got a double room at the Elphinstone Annexe Hotel from where they went to meet Karkare's friend, Joshi. After hearing the manager's conversation, the duo caught a taxi to Arya Pathik Ashram at Sandhurst Bridge. Apte was sure the manager, G.P. Dube, would definitely accommodate them. But they were out of luck. Later, Dube told the police that he had been put off by their dishevelled looks. After being turned away from there, Apte and Karkare, for the first time experienced what it felt like to be hounded. They went straight to the Victoria Terminus station and caught a train to Thana. In the late afternoon, they turned up with their bags at Joshi's house, who realised their involvement in Gandhi's murder. But he was a supporter of the Mahasabha and also Karkare's friend and so he stuck his neck out for them. The two were keen to escape to a foreign territory or country to evade arrest. Joshi volunteered to meet some people to seek help for Karkare and Apte. The first to meet them was M.G. Ghaisas, who was asked to go to Poona to assess the situation and find out if the police had visited Apte's home. Ghaisas returned on 9th morning with encouraging news and Apte and Karkare decided to leave for Poona. According to their statements, in Poona they were offered hospitality by their friends, and were able to hide

in their homes; other friends brought news and clothes for Apte from his home, while some offered them help in escaping.

However, Poona was becoming dangerous for them to stay in. The police were beginning to close in on them and Karkare and Apte decided to leave for Bombay. They were certain that friends in Bombay would be able to help them escape to Goa, and from there, to a foreign country. Apte and Karkare returned to Bombay on the morning of 11 February and went straight to Thana. They stayed with Joshi for two days. To create another alibi for themselves, Joshi's son had got them suburban railway tickets that had been purchased on 30 January. In the event of their arrest they hoped to fool the police into thinking that they were in Bombay on that day. After Apte's arrest the police found ticket number 05891 dated 30/01/48 from Dadar to Vile Parle on him. It could not have been too difficult a task for an organisation like the Hindu Mahasabha and RSS to procure a used ticket. For accounting purposes, all the tickets collected at the stations are recorded; their numbers are noted in a Recovered Ticket Register at the station; then sent to the central office and from there to the divisional office. Once the ticket numbers are recorded and tallied the tickets become useless and are disposed of. It is possible to siphon off a couple of tickets anywhere during this process. After investigation, the police were able to prove that the ticket had been collected by the ticket checker at Vile Parle Station and entered in the used ticket register the same day it had been issued. Whoever had obtained the ticket for Apte had used money or access to the railways office to pick up the ticket and hand it over to Joshi after the 30th. Like the telegram sent by Manorama, the possession of the ticket also proved to be a futile alibi.

On 13 February, Apte and Karkare checked in to Pyrke's Apollo Hotel behind Regal Cinema in south Bombay, a stone's throw away from the Gateway of India and the Taj Mahal Hotel. Apte and Manorama had often checked in here as 'Mr & Mrs Apte'. Claudio Pinto, a clerk at the reception counter, checked in 'N. Kashinath' and 'R. Bishnu' and gave them the keys to Room 29 on the second floor. At about ten the next morning, Apte called Manorama, asking her to meet him at six that evening at the hotel. Unknown to him, the police knew about their liaison as per Badge's confession. As Manorama's father was in the police, their phone was an extension number from the general police exchange. For the past few days, Nagarvala had ordered surveillance on the Salvi home and their phone was

tapped. The police, therefore, listened in to Apte's conversation with Manorama. After the call Narayan Apte and Vishnu Karkare went their separate ways.

At 11 am Inspector B.A. Haldipur arrived at the hotel and enquired about the occupants of Room 29. As they were not in, Haldipur decided to wait for them to come back. He took up a vantage position in the lobby as he knew that Apte had asked Manorama to come at six that evening. After a long vigil, at 5.30 pm, a taxi pulled up in front of the hotel and Apte got out. Pinto, the reception clerk, nodded his head, and Haldipur pounced on Apte. He was arrested and whisked off to the police headquarters.

Karkare had gone to Thana to meet Joshi to check on their arrangements for their escape out of the country. He came back to the hotel at 8.25 pm. Haldipur was waiting for him. Now almost all those named by Badge were in the hands of the police.

On 11 February Shankar Kistayya led a police party to the spot in the woods behind the Hindu Mahasabha Bhavan and the South Indian School in New Delhi, where he had hidden the hand grenades and the unused gun cotton slab before escaping from Delhi on the evening of 20 January. He showed them two spots, about forty-five yards apart, from where the police recovered three live hand grenades, twenty-five cartridges and a gun cotton slab with an attached fuse wire.

The register at Old Delhi railway station's retiring room showed that Nathuram had booked it after producing a ticket from Gwalior to Delhi on 29 January and one from Poona to Delhi. He had confessed that he procured a gun in Gwalior with Parchure's help. On 14 February, Deputy Superintendent of Bombay CID, N.Y. Deulkar arrived in Gwalior to arrest Parchure. He discovered that Parchure was being held in the Gwalior Fort under the military's custody. The reason? Parchure had celebrated Gandhi's murder by distributing sweets and boasting that he knew the killers. He had publicly referred to Gandhi as the reincarnation of the Mughal Emperor Aurangzeb, who was known to be a religious fanatic and had tormented the Hindus during his reign. Parchure had told his elder brother on 29 January (after Nathuram and Apte had left for Delhi), that the people staying at their home the previous day were on a mission to murder Gandhi and that he had helped them to acquire a gun. He also told someone called Ram Dayal Singh that a good deed had been done; 'the opponent of the Hindu religion had been killed'. He added that the killer was one of their own men. When

all this was reported to Home minister Dhule, of the newly appointed Congress government in Gwalior, he immediately ordered Parchure's arrest under the Maintenance of Public Security Ordinance.

U.H. Rana also got into the act. He arrived in Gwalior and along with Deulkar demanded that Parchure be handed over to them.

On 17 February, Nagarvala received an order from Delhi appointing him as the officer heading the investigation of the Gandhi murder case. Inefficiency did fetch rewards.

On 18 February, Parchure expressed his intention to confess. R.B. Atal, a first class Magistrate, was summoned to Gwalior Fort, which was under the command of the Army. Access to Parchure was only possible after getting permission of the military commandant. Atal was accompanied by Senior Superintendent of Police Gwalior, Dinkar P. Thorat Patil.

On reaching the fort they were first taken to the office of the Commanding Officer Major Chhatrey. Accompanied by Chhatrey, Atal proceeded to the cell where Parchure was detained. The cells were situated at a higher level in the fort, which had been built by the Mughals to house their prisoners. On coming face-to-face with Parchure, Atal asked him if he had expressed a desire to make a confessional statement. Parchure replied in the affirmative. Atal then took Parchure to the rear veranda of the cell and asked for a table and two chairs. He also asked Chhatrey to place two military sentries in the back compound abutting the veranda, who would stand at a distance of fifty yards from them.

For the next hour Atal explained to Parchure the legal ramifications and implications of making a sworn confession. Under the prevalent laws the conviction of a person making a sworn confession was certain. Atal informed him that nobody could force him to make a confession. Parchure persisted and only after he was convinced, did Atal ask him to begin. For the next forty-five minutes Parchure explained all that had transpired on the 27th and 28th of January when Nathuram and Apte had come to his house. After listening to Parchure, Atal gave him half an hour to make up his mind and then asked him a few questions. After this long drawn-out process Atal recorded verbatim Parchure's confession in English as instructed by him.

Atal then read out the statement to Parchure, made him sign every page and ensured that he very carefully exercised every legal procedure of recording a confession so that it would not be dismissed due to any technical or procedural mistake.

Parchure's confession was more than enough to nail him for his role in the Gandhi murder conspiracy.

On 26 February 1948, Apte and Karkare led a police party to the woods behind the Hindu Mahasabha Bhavan in Delhi. Apte pointed out the spot where a pistol had been tested at noon on the 30th. He pointed out a tree which had four bullet holes. Three portions of the bark were cut and an empty cartridge case that was found near the spot were taken as evidence. The next day, Apte, went along with the police to Parchure's residence in Gwalior. Here he pointed out the wall where a pistol had been tested. A number of bullet marks were found on the wall, and a spent bullet found there was taken as evidence.

By the time Nagarvala was appointed the chief investigating officer, the police had the prime accused in hand. His job now was to tie up the loose ends, which comprised going over the legal procedures of conducting identification parades, matching the handwritings and building up a case which could not be demolished by the defence lawyers. A number of identification parades of the accused were conducted in Delhi and Bombay, which were supervised by a magistrate: in Delhi, they were conducted under the supervision of Magistrate First Class Kishen Chand, and in Bombay, under Chief Presidency Magistrate Oscar H. Brown.

Nagarvala, shuttling between Delhi and Bombay, built up a massive dossier of evidence against each of the accused over the next two months. The one person against whom he could not find much hard evidence other than the confession of Badge—where he had given many details about the gang's interactions with Savarkar, particularly those of Nathuram and Apte—and circumstantial evidence, was Savarkar. Just the fact that a phone call had been made to Savarkar Sadan from the Hindu Mahasabha office in Delhi on the morning of 19 January was not enough to nail Savarkar. Here it must be remembered that on 15 August 1947, when the entire nation was celebrating India's new-found independence, the RSS and Hindu Mahasabha had called for a boycott of the celebration and had prohibited their members from hoisting the tricolour of independent India. Savarkar, the founder of Hindu Mahasabha, had defied the ban and hoisted the flag on the terrace of Savarkar Sadan. This had angered the Hindu fanatics and for the past few months he had been facing a boycott by his colleagues. There was no reason, therefore, for anybody from the Delhi Mahasabha office to call Savarkar that morning. Apte had a reason and he was at the Mahasabha

office at the time the call was booked. Among the documents seized from Savarkar Sadan during the raid on 31 January, many letters written by Nathuram and Apte to Savarkar were found, confirming the close relationship between the three.

Dr. Jain had also mentioned about Karkare taking Madanlal to meet Savarkar and the latter congratulating and blessing Madanlal.

The very dramatic and emotional statement that Nathuram Godse read out first at the Red Fort Trial and then during the hearing of the mercy petition in the West Punjab high court is surely Savarkar's writing. During their incarceration in the Red Fort Prison, the prisoners had been regularly getting messages and notes from outside and were able to pass them to one another. A prison guard Lance Naik Kadam was suspended after being caught carrying letters and documents to and from the accused. During the trial Nathuram had appealed to Judge Atmacharan that the police should be prohibited from seeing the notes they made in court or in their cells. The judge too was aware of this interaction between the prisoners.

Both Savarkar and Nathuram knew that the spotlight would be on Nathuram and they decided to utilise that brief period to broadcast their message of hate. The two spent almost eight months in the Red Fort Prison, in very close proximity to one another. Savarkar was a gifted writer and knew how to use it to incite his readers. His *History of the First War of Freedom in 1857,* and the Marathi songs he wrote, display his ability to arouse passions. Nathuram was not known either for his writing or oratory skills, except for using rabid and abusive language. For the next five decades, the Hindu Right-wing used this speech to brainwash new generations of Indians to believe that Gandhi was responsible for the division of the country, was partial to the Muslims and by murdering him, Nathuram Godse had done a great service to the country and its people.

The police filed the chargesheet in the Gandhi murder case on 27 May 1948.

By the time the trial started, Nagarvala and his team of investigators had gathered enough evidence to prove the involvement of each of the accused. If they had shown half the speed while investigating the failed attempt of 20 January, as they showed in investigating the murder, the history of India might have been different.

The main accused in the Gandhi murder case according to the chargesheet were 'Accused No. 1' Nathuram Vinayak Godse; 'Accused No.

2' Narayan Dattatreya Apte; 'Accused No. 3' Vishnu Ramkrishna Karkare; 'Accused No. 4' Madanlal Kashmirilal Pahwa; 'Accused No. 5' Shankar Kistayya; 'Accused No. 6' Gopal Vinayak Godse; 'Accused No. 7' Vinayak Damodar Savarkar; 'Accused No. 8' Dattatreya Sadashiv Parchure; 'Accused No. 9, 10 and 11' Gangadhar S. Dandavate, Gangadhar Jadhav and Suryadeo Sharma were declared absconders. The last three were not apprehended by the police till the end of the trial. Badge had been granted a judicial pardon in return for the deal he had struck with the court by becoming an 'approver' in the case.

THE CHARGESHEET

(a) Nathuram Vinayak Godse, Narayan Dattatreya Apte, Vishnu Ramkrishna Karkare, Madanlal Kashmirilal Pahwa, Shankar Kistayya, Gopal Vinayak Godse, Vinayak Damodar Savarkar and Dattatreya Sadashiv Parchure were charged under section 120-B I.PC. (conspiracy) read with section 302 I.PC. (Indian Penal Code) (murder).

(b) Nathuram V Godse, Narayan D. Apte, Vishnu R. Karkare, Madanlal S. Pahwa, Shankar Kistayya and Gopal V. Godse were also charged under Section 19 (D), Indian Arms Act and Sectionl9 (D) Indian Arms Act read with Section 109 and 114 I.P.C., Section 19 (F), Indian Arms Act, and Section 19 (F) Indian Arms Act, read with Section 114 I.P.C., Section 4 (B), Explosive Substances Act, and Section 4 (B), Explosive Substances Act, read with Section 6 of said Act; Section 5 of the Explosive Substances Act; and Section 5 of the Explosive Substances Act read with Section 6 of the said Act.

(c) Madanlal S. Pahwa was separately charged under Section 3 of the Explosive Substance Act. Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Shankar Kistayya and Gopal V. Godse were also charged under Section 3 of the Explosive Substances Act, read with Section 6 of the said Act.

(d) Nathuram V Godse, Narayan D. Apte, Vishnu R. Karkare, Madanlal S. Pahwa, Shankar Kistayya, Gopal V. Godse and V.D. Savarkar were further charged under Section 115 I.P.C., read with Section 302 I.P.C.

(e) Nathuram V. Godse and Narayan D. Apte were also charged under Section 19 (C) of the Indian Arms Act.

(f) Nathuram Godse, Narayan D. Apte and Dattatreya S. Parchure were further charged under Section 19 (C) of the Indian Arms Act, read with

Section 114 I.P.C.

(g) Nathuram Godse was separately charged under Section 19 (F) of the Indian Arms Act.

(h) Narayan D. Apte and Vishnu R. Karkare were charged under Section 19 (F) of the Indian Arms Act, read with Section 114 I.P.C.

(i) Nathuram Godse was also separately charged under Section 302 I.P.C. for the murder of Gandhi.

(j) Narayan D. Apte and Vishnu R. Karkare were further charged under Section 302 I.P.C. (murder) read with Section 114 I.P.C. (abetment by presence).

(k) Madanlal K. Pahwa, Shankar Kistayya, Gopal V. Godse, Vinayak D. Savarkar and Dattatreya S. Parchure were also charged under Section 302 I.P.C., read with Section 109 I.P.C.

5

MENTOR BETRAYED

'They were the ones, the word went round with whom business could be done'. The impossible old man was put on a pedestal, admired for his genius and 'unerring hunch', consulted, listened to with respectful attention and—by-passed.'

- Mahatma Gandhi: The Last Phase, Vol. 10, Part II
by Pyarelal Nayyar

If the Godse-Apte gang and the bungling policemen were instrumental in Gandhi's murder, the role of the politicians was no less nefarious. Whether intentional or circumstantial, they played a very important role in making it easier for the murderers to succeed. The others made the act possible by discarding Gandhi's ideals and publicly distancing themselves. As per Apte's and Karkare's escape plans after the murder, they were confident of getting aid from some very powerful ministers in Delhi. After the murder, a lot of criticism was directed towards the Iron Man of India, Sardar Vallabhbhai Patel, the Home minister. He has been credited with having successfully convinced and coerced almost all the princes and kings of the princely states to merge into the Indian Union. Credit for the rebuilding of the Somnath temple in Kathiawad, very close to Porbandar the birth place of Gandhi, destroyed by the invader Mahmud Ghazni, also goes to him. But Gandhi's murder is a great blemish on his record. As Home minister he was in charge of the police and Intelligence departments. J.C. Jain had provided vital clues to the chief minister of the Bombay province, B.G. Kher and to the home minister of Bombay province, Morarji Desai, a staunch Gandhian and a very close confidante of Patel. Desai claimed that he passed on the information to Patel immediately on meeting him in Ahmedabad. However, the Delhi police never acted on that information. Jain was never called in for questioning by the police. The Delhi police maintained throughout that they were never told about the information that Jain had provided. Why did Patel not see the necessity in informing Sanjevi, who was overseeing Madanlal's investigation and interrogation in Delhi? This remains a mystery

Patel did report the threat to Gandhi and advised that his security be increased and all who came to meet him should be frisked. It was a forgone conclusion, however, that Gandhi would refuse any such request. Surprisingly, Patel gave in and left the matter of Gandhi's safety in the hands of destiny. One can understand that all the ministers were scared of the fact that any action of theirs might displease Gandhi and make him go on another fast, but Patel did not even think it fit to personally oversee the investigation into the failed attempt of the 20th. Patel was known to be sympathetic towards the RSS and Hindu Mahasabha and referred to their members as 'true patriots' albeit misguided at times. Even after the murder of Gandhi and the proven involvement of the two organisations in the conspiracy, Patel had put forward a proposal to amalgamate the RSS into the Congress as its youth wing.

Recent events had upset Patel. One was that Gandhi had commenced on a fast which had embarrassed and angered Patel. As Home minister he was responsible for providing security to the citizens of the country, but Gandhi had gone on a fast because he felt that the Muslims of India were not receiving their share of protection. Patel's detractors in the Congress had launched an attack on him for failing in his duties as Home minister and providing a reason to Gandhi to go on a fast. Patel had made his displeasure known in no uncertain terms. At a time when the entire Cabinet of independent India operated from Birla House during Gandhi's last fast, Patel left New Delhi to visit Bombay and Ahmedabad.

When the Union Cabinet decided not to withhold the balance payment of Rs. 55 crores to Pakistan, Patel was very annoyed. According to Pyarelal, this was the proverbial last straw on the camel's back. 'Increasingly he had had to defer with his Cabinet colleagues on matters of importance and although Gandhi differed on many issues from the stand taken by Patel, he had defended the latter in the face of attacks from the pro-Nehru factions of the Cabinet.' Patel did not like to be defended by anybody.

Patel had a very simplistic view of things and was very extreme in his actions. A story made very famous about his strength and will power throws light on his attitude towards vexing issues. It is said that in his early youth, Patel developed an abscess in his armpit. As the treatment failed to provide relief, he picked up a knife, heated it over the glowing coals on his mother's kitchen stove and plunged it into the abscess.

He used the same kind of reasoning for the partition of India. During the transfer of power talks, when an interim Cabinet of the Muslim League and the Congress was formed, Patel and Nehru thought that the Home ministry would be vital for a newly formed nation. Patel took charge of the Home ministry while, surprisingly, Nehru decided to take the lame duck Foreign Affairs ministry, leaving the vital Finance ministry for the Muslim League. The Muslim League was determined to achieve a division of the country. They had terrorised the nation during the League-sponsored 'Direct Action Day' and now found another weapon to harass Congress ministers of the interim government. The interim prime minister and Home minister had to wait for budgetary approval for days on end for trivial items like furniture in their offices or appointments of clerks. Even in the negotiations on the division of wealth and assets of undivided India, members of the League were known to haggle. They would argue over the most trivial of issues like the division of chairs, desks, office cabinets and fans. Patel and other Congress leaders were at their wit's end. Finally, when the time came to decide between an undivided India and the formation of Pakistan, Patel and Nehru immediately opted for partition for several reasons including the desire to just be rid of the harassment of the Muslim League and its ministers.

Was this same attitude becoming apparent in the lackadaisical approach to the protection of Gandhi's life by the Home minister's police department?

Patel wasn't the only leader to opt for partition; almost the entire Congress leadership, with the exception of Maulana Abul Kalam Azad and Khan Abdul Gaffar Khan, opted for partition and abandoned Gandhi. Acharya Kripalani, the Congress president, had justified his support for partition saying, 'The Hindu and Muslim communities have vied with each other in the worst orgies of violence. I have seen a well where women with their children, 107 in all, threw themselves to save their honour. In a place of worship, fifty young women were killed by their menfolk for the same reason. These ghastly experiences have no doubt affected my approach to the question. Some members have accused us that we have taken the position out of fear. I must admit the truth of their charge. The fear is if we go on like this we will reduce ourselves to a state enslavement and worse. I have been with Gandhiji for the past thirty years. Why then am I not with him? It is because I feel that he has as yet found no way of tackling the

problem on a mass basis.' Patel said, 'I agreed to partition as a last resort when we would have lost all.'

The strategy of the Muslim League ever since Direct Action Day was to terrorise and intimidate the Indian people and the Congress leadership into conceding to Pakistan; the Congress leaders walked right into the trap. Gandhi was the only one who was willing to fight against the terror tactics and thwart the designs of the League, but he was left with no supporters. If it can be said that Patel was angry with Gandhi and let his anger cloud his judgement; the 'jawahar' of Gandhi's eye, Nehru, as prime minister, also failed to support and protect Gandhi.

Nehru was known to be ambitious, a man eager to become the first prime minister of independent India. Post-independence, he was bogged down by seemingly insurmountable problems: the transfer of power, the tragedy of Partition, the resettlement of millions of refugees, the Pakistani invasion of Kashmir and his continuing internecine war with Patel in the Congress. But as prime minister of India, and as one who enjoyed that privilege solely due to the fact that Gandhi had favoured him, Nehru failed to protect Gandhi. He was also guilty of blatantly discarding Gandhi in the decision-making process while policies were framed for independent India.

Nehru had been drifting away from Gandhian philosophy and Gandhi in matters of the state and the future of India. For a long time he had considered Gandhi as a role model and father figure, but since the advent of the Mountbattens, Nehru was more influenced by the last viceroy and more so by the vicerine. The shrewd couple had sensed the distancing between Nehru and Gandhi and the rift and rivalry between Nehru and Patel, which they exploited fully. This has been summed up in the following extract from *Mahatma Gandhi: The Last Phase*, Vol. 10, Part II by Pyarelal. 'But whether they knew it or not, the whole galaxy of the Old Guard, like the galactic system in outer space, were imperceptibly being drawn into a different sun-orbit—the orbit of Lord Mountbatten, the coming Viceroy. The different settings in which they and Gandhiji had been functioning of late had differently conditioned their thinking, outlook and approach. Gandhiji's was the redemptive way. He represented the non-violent approach which has its own logic. Unless true repentance manifested itself in Bihar, irrespective of what was happening in other parts of India, the hearts of Hindus and Muslims could not be united and partition of India would be the inevitable result. Sardar Patel, surveying the scene from his

orthodox political plane, thought in terms of reciprocity—uniform action in Bihar and Bengal and elsewhere. The League would come to its senses only when it realised that violence was a game "at which both parties can play". Pundit Nehru's was an idealistic approach, but it lacked the sanction which Gandhiji's leadership during the non-violent freedom struggle had provided and which alone could make that idealism effective. Sardar Patel the matter-of-fact realist, was at times very critical of what appeared to him as the disjointed idealism of his colleague. But however much they disagreed with each other neither of them could agree with Gandhiji. They had willy-nilly to obey the dynamics of the machine of which they had become a part—an administration based ultimately upon force—and the inexorable logic of their own policies since coming into power in the Provinces and at the Centre. A widening gulf separated them from their erstwhile oracle. Sardar Patel was the first to recognise it. The recognition came late to Pundit Nehru, and he continued to struggle against it almost to the last'. Pyarelal also writes: 'But Lord Mountbatten found in Congress Leaders apt pupils, who hung on his lips, when he discoursed to them on the problem of defence in the event of India being partitioned or otherwise. They were the ones, the word went round, with whom "business could be done". The impossible old man was put on a pedestal, admired for his genius and "unerring hunch", consulted, listened to with respectful attention and—by-passed. But the more they drifted away from him, the more they needed him. For in the last resort he alone could deliver the goods. Wanting nothing for himself, he was anxious only to give and to serve, knowing no jealousy, giving himself no airs, never resentful ... never rude, claiming no rights for himself, loath to brood over an injury ... slow to expose, eager to believe the best, always hopeful, always patient'.

At one point Gandhi had blamed Nehru for sabotaging his dream of a united India. In a very emotional statement to Jayprakash Narayan, the leader of the Congress Socialists, in Panchgani in 1946, Gandhi said, 'Jawaharlal has destroyed my dream of an undivided India.' What prompted this statement? As it implies, this was one of the greatest betrayal, faced by Gandhi. This is alluded to in the memoirs of Maulana Azad and in a book written by Minoo Masani titled *Bliss Was It In That Dawn.* It is a historic fact that Mountbatten first convinced Patel to accept his plan for the division of India; he then convinced Nehru since Patel had already approved of it.

Gandhi had tried to avoid partition. When all his efforts had failed he had broached the idea that partition be considered after independence, without any interference from the British. But it was an exercise in futility. The ageing trio of Jinnah, Patel and Nehru were impatient for power and they could not wait any longer. Jinnah knew he had very little time left. It was a statement made by Nehru as the president of the Congress in Bombay on 10 July 1946 that pushed Jinnah and the Muslim League into becoming more rabid in their demand for Pakistan. Addressing journalists Nehru had said, 'The Congress will enter the National Government unfettered by any previous pact or understanding. The Congress will be free to frame its policies and actions according to the situations and ground realities. The Congress has agreed to be a member of the Constitution Committee. The Congress will be free to change and alter the Cabinet Mission Plan according to its requirements.' The Congress, like the Muslim League, had previously agreed to abide by the Cabinet Mission Plan and this statement by the Congress president was like a bolt out of the blue. As expected Jinnah and the Muslim League reacted vehemently and called an emergency session. There Jinnah declared that 'in the wake of the Congress President's statement the only option available to the League is to revive vociferously the demand for Pakistan'. At the end of the session, the League backtracked on its previous approval to the Cabinet Mission Plan and rejected it. The Congress was caught in a bind. It had previously accepted the Cabinet Mission Plan, but its president had publicly declared his intension of subverting it. Finally, they reacted to the resolution of the Muslim League and issued a face-saving but ambiguous statement and appealed to the League to cooperate with the Congress in drafting the Constitution of India and in the transfer of power talks. Jinnah rejected the CWC's statement and said that what had been implied by the president was the Congress' real policy.

When the CWC met to approve of the Mountbatten Plan to divide India, Jayprakash Narayan and Dr. Ram Manohar Lohiya were invited as special invitees. In his book *Guilty Men of Partition* Lohiya describes the meeting: 'Gandhi, the Frontier Gandhi Khan Abdul Gaffar Khan*, Jayprakash Narayan and I were the only four to oppose the plan to partition India, no one else uttered a word of protest against the plan to divide India'. He further writes: 'Gandhiji interrupted the discussion, he lamented that before approving the Partition Plan neither Nehru nor Sardar Patel had briefed

him. He had been kept in the dark. An angry Nehru interrupted Gandhiji and said that he had been informing Gandhiji about the developments, When Gandhiji reiterated that he had been kept in the dark about the Partition Plan before it was accepted by Sardar Patel and Nehru, Nehru demurred and admitted that since at that time Gandhiji was touring the riot affected district of Noakhali it was not possible for them to inform him about the Partition Plan'.

D.G. Tendulkar in volume 7 of his book *Mahatma* has described the meeting and it tallies almost entirely with the version given by Dr. Lohiya. Tendulkar writes: 'At the meeting Gandhiji further said that since the Congress Leaders had pledged their acceptance of the Partition Plan it was binding on the party to accept the Partition as a face saving exercise for their leaders. After the acceptance of the Partition Plan by the Congress and the Muslim League the Viceroy and the British Government should step aside and the Congress and the League should without outside influence or pressure chalk out a plan for the partition of India'. Here the words 'since the leaders had given their word' and 'as a face-saving exercise' become very important. It proves that Patel and Nehru had, without consulting or briefing the party or Gandhi, unilaterally agreed to the partition of India. Yet the RSS and Hindu Mahasabha blamed Gandhi for the vivisection of India.

Gandhi first heard of the Congress resolution demanding the division of Punjab through a press report in March 1947, while he was touring riot ravaged Bihar. Pyarelal writes *in Mahatma Gandhi: The Last Phase* Vol. 10, Part II: 'It was the month of March, 1947. Gandhiji had been in Bihar nearly a week, battling with all his strength to bring together the sundered hearts of Hindus and Muslims in that riot torn Province so that they could once again live together as brothers in the land of their birth, when by a stroke of irony he saw in the papers the Congress resolution demanding the Partition of the Punjab. It was as if the abyss had suddenly opened under his feet. He had not been consulted or even forewarned. "I think I did not know the reason behind the Working Committee resolution," he wrote to Nehru on 20th March, "I cannot understand it," he wrote to Sardar Patel.

'The Congress resolution on the demand for dividing the Punjab stated:

'During the past seven months India has witnessed many horrors and tragedies which have been enacted in the attempt to gain political ends by brutal violence, murder and coercion....

'The Punjab ... became six weeks ago the scene of an agitation, supported by some people in high authority, to coerce and break a popular Ministry which could not be attacked by constitutional methods. A measure of success attended this, and an attempt was made to form a Ministry dominated by the group that had led the agitation. This was bitterly resented and has resulted in increased and widespread violence....

'The tragic events have demonstrated that there can be no settlement of the problem in the Punjab by violence and coercion, and that no arrangement based on coercion can last. Therefore it is necessary to find a way out which involves the least amount of compulsion. This would necessitate a division of the Punjab into two Provinces, so that the predominantly Muslim part may be separated from the predominantly non Muslim part'.

By formally asking for a division of Punjab on religious lines the Congress gave the Muslim League a legitimate right to demand a separate Pakistan. The British administration and the Muslim League were waiting for just such an opportunity. Gandhi immediately realised the danger behind the Congress' demand, but unfortunately learnt of it only when it was too late. This was how the country was divided: by a mix of political terror, chicanery and a conniving colonial power on one side, and a morally bankrupt and cowardly political leadership on the other.

To Nehru, Gandhi wrote: 'I would like you ... to tell me what you can about the Punjab tragedy. I know nothing about it save what is allowed to appear in the Press which I thoroughly distrust. Nor am I in sympathy with what may be termed by the old expression of "hush hush policy". It is amazing how the country is adopting almost the very measures which it criticised during British administration. Of course, I know the reason behind it. It makes no appeal to me'. Was Gandhi subtly warning the Congress leadership that they were not only pursuing the British policy of withholding information from its citizens but was also pursuing the age old divide and rule policy of the colonial power?

The Congress passed the resolution demanding the partition of Punjab on religious lines in the first week of March 1947 without informing or consulting Gandhi. Even after passing the resolution neither Nehru nor Patel saw it fit to inform him. After a fortnight of the resolution being adopted, on 20 March, Gandhi wrote to Nehru: 'I have long intended to write to you asking you about the Working Committee resolution on the

possible partition of the Punjab. I would like to know the reason behind it. I have to speak about it. I have done so in the absence of full facts with the greatest caution. Kripalani said in answer to a question in Madras that it was possible that the principle might be applied to Bengal also. I was asked by a Muslim Leaguer of note ... if it was applicable to the Muslim-majority Provinces, why it should not be so to Congress-majority Provinces like Bihar. I think I did not know the reason behind the Working Committee's resolution. Nor had I the opportunity. I could only give my own view which was against any partition based on communal grounds and the two-nation theory. Anything was possible by compulsion. But willing consent required an appeal to reason and heart. Compulsion or show of it had no place in voluntariness'. On the same day he wrote to Patel: 'Try to explain to me your Punjab resolution if you can. I cannot understand it'. Patel replied on the 24th: 'It is difficult to explain to you the resolution about Punjab. It was adopted after the deepest deliberation. Nothing has been done in a hurry or without full thought. That you had expressed your views against it, we learnt only from the papers. But you are, of course, entitled to say what you feel right.

'The situation in the Punjab is far worse than in Bihar.... The military has taken over control. As a result, on the surface things seem to have quietened down somewhat. But no-one can say when there may be a burst-up again. If that happens, I am afraid, even Delhi will not remain unaffected. But here of course we shall be able to deal with it'. Patel was going to be proved wrong even in Delhi. They required Gandhi to ensure peace in the national capital. Nehru responded to Gandhi's letter the day after Patel wrote: 'About our proposal to divide Punjab, this flows naturally from our previous discussions. These were negative previously but now a time for decisions has come and mere passing of resolutions giving expression to our views means little. I feel convinced and so did most of the members of the Working Committee that we must press for this immediate division so that reality might be brought into the picture. Indeed this is the only answer to partition as demanded by Jinnah. I found people in the Punjab agreeable to this proposal—except Muslims as a rule. For the present it means an administrative decision without any change in law'.

How could both Nehru and Patel fail to recognise that any demand for division on the basis of religion only legitimised the League's demand for a Muslim nation? But Gandhi's protégés had emerged from his shadow, and

now considered their mentor to be a burden they reluctantly had to carry along. Pyarelal writes: 'Such a thing would have been inconceivable in olden days. Even when he was ranging over the length and breadth of India, they did not fail to consult him before taking any vital decision'.

Speaking at a prayer meeting Gandhi had said, 'If Partition is unavoidable it should not be at the hands of the British, the division of the country should not be considered while the British still rule over India. Let the British grant Independence and then the Congress and Muslim League will sit together and decide about the division of the country, I suggested this to the Viceroy, Pandit Nehru and Sardar Patel did not like my suggestion. Let them do what they wish, but let nobody say that Gandhi was a partner to the division of the country. Everyone is in a hurry to achieve independence at any cost.'

The Congress high command had discarded Gandhi and they would regret it. After independence, when the horrors of the post partition massacres blew up in their faces, all the top leaders of the Congress wrung their hands in despair and cried themselves hoarse that they had not expected such a horrifying result. Two years later, on 16 October 1949, Nehru declared before an audience in New York that, if they had known the terrible consequences of partition, they would have resisted the division of India. 'It was a big mistake on our part not to have listened to Gandhi at that time,' confessed Maulana Azad, 'If we had only known!' exclaimed Dr. Rajendra Prasad. Acharya Kripalani, who as president of the Congress at the time of partition, had alleged that Gandhi was groping in the dark, as there was no alternative to partition, used to in his later life reserve the choicest epithets for those in the Congress high command whom he blamed for the partitioning of India, forgetting his own advocacy of the partition plan at the AICC convention.

It is almost sixty years since Gandhi's murder. The principal players of that time are no more. For the past fifty years and more, many lies have been propagated about the reason for the murder and about Gandhi's role in the tragic events during the last year of his life. Followers of Gandhi and the subsequent leaders of the Congress have failed to counter the disinformation campaign of Hindu Right-wing organisations. The Hindu extremists have recently adopted Patel as their icon, perhaps unaware that he was the one who first accepted the British plan to partition India. He was

also one of the signatories to the treaty which agreed to unconditionally give Pakistan Rs. 55 crores.

Patel had been upset by Gandhi's stand on this issue. At the time of independence, the cash balance of undivided India had to be divided between the two countries according to the size of their territory and population; the debt was also thus divided between them. The cash balance of undivided India was Rs. 375 crores. It was decided that Pakistan would be paid Rs. 20 crores on the day it came into being, i.e. 14 August. After negotiations a bilateral treaty was signed between the two independent nations and Pakistan's share was set at Rs. 75 crores. Deducting the Rs. 20 crores already paid, India owed Pakistan Rs. 55 crores. According to a treaty, India agreed to pay Pakistan the balance amount at a later date or when Pakistan demanded payment. Patel and Nehru were signatories to this treaty. The Muslim League ministers went public about having signed this treaty to garner popularity. In India the news caused a lot of resentment. Worried about the backlash Congress leaders publicly stated that they had mentioned that the balance amount would be paid when all the unresolved issues between India and Pakistan were sorted out. The treaty was signed when the incursion into Kashmir had already started. But neither did the Muslim League ever accept this 'when all issues are resolved' condition, nor were the Congress leaders ever able to prove that this 'condition' had been taken note of. The treaty document did not mention any such condition.

When the refugees poured in from West Pakistan and the atrocities began to be committed there by Pakistan, the Indian Cabinet decided that India would withhold the payment of the balance amount of Rs. 55 crores. But this would have violated the treaty. If challenged— and Pakistan would definitely have challenged India's stand—the Indian Cabinet's stand was not defensible. They had signed a treaty with another sovereign nation and the treaty did not have any clause for withholding of the payment. Not only would India have been branded as an untrustworthy nation, but also be guilty of breach of contract. The Indian Cabinet was trying to take a populist stance but were jeopardising the reputation of the country internationally. When news of the decision made by the Cabinet reached Governor General Lord Mountbatten he became worried. Since he was technically the head of the government he would be party to any decision taken by the Cabinet.

In the second week of January, Gandhi went to meet Mountbatten to understand the situation in Delhi. As Gandhi was leaving, Mountbatten mentioned the decision of the Cabinet to withhold the balance payment, adding how it was legally not defensible and morally a corrupt act. Gandhi criticised the decision, but left without making any commitment.

That evening, at the prayer meeting, Gandhi announced his decision to go on a fast unto death to bring about peace between Hindus, Muslims and Sikhs. By now the Indian Cabinet had realised the futility of their decision to withhold the balance payment to Pakistan. Mountbatten had been working feverishly to influence the senior members of the Cabinet to reverse the decision. With the realisation that their decision was wrong, they were now faced with a dilemma: if they went back on their earlier stand they would be exposed to public wrath. Patel said, 'The Muslims are angry with us, we cannot afford to anger the Hindus too.' The Congress was afraid it would lose popular support, and as a consequence, power.

Perhaps the Cabinet suspected that if they reversed their decision after Gandhi had embarked on a fast, it would appear as if they had done so under pressure. Whatever their thoughts, when the Cabinet announced their decision to pay the balance amount, it was assumed that Pakistan was given the money due to Gandhi's interference and under the pressure of the fast—something that is believed till date. In fact, the Cabinet's decision was made on the first day of the fast, and the fast continued for another four days after it was made public.

This anger against Gandhi was fanned by the RSS and the Hindu Mahasabha who campaigned amongst aggrieved refugees, saying that Gandhi was responsible for their miseries. Many in the Congress also secretly harboured the same kind of feelings. On several occasions, Gandhi had criticised communal comments publicly made by prominent Congress leaders. Pyarelal writes in *Mahatma: The Last Phase,* Vol. 10 Part II: 'Gandhiji viewed with growing uneasiness and alarm the prospect of counter-communalism that was being bred in the Indian Union by continued ill-treatment of the minorities on the other side. Already some ugly symptoms had begun to appear. The President of a Provincial Congress Committee was reported to have said in public speech that if any harm befell the Hindus in Pakistan the Congress would "after 15th August" take reprisals in India. Gandhiji immediately wrote to him: "You are enunciating the doctrine of an eye for an eye and a tooth for a tooth. Only you will wait

till the 15th August. Has the Congress policy changed? Congressmen have changed, I know, but I am not aware of any change in the Congress Constitution. Secondly, if Congress policy or practice has changed, who compels you to wait till 15th August? Who will be responsible for the incalculable harm that will have overtaken the people of India as well as Pakistan in the meantime? Who can control the people if they go mad and launch on a course of retaliation?'"

The Direct Action Day riots had terrorised the Hindu populations of Punjab and Bengal and instilled a fear of its recurrence in the hearts of the Congress leaders. In one of his outlandish demands, Jinnah had demanded not only the Punjab and Bengal, but also a 1,000-mile corridor across northern India linking the two Pakistans! The RSS and the Hindu Mahasabha did not publicly condemn any of these demands. They were happy if Muslim homelands were created, for they could then launch a movement to drive Muslims out of Hindustan. But when partition really happened the two organisations were thwarted in their plan to remove Muslims from Hindustan. They would never forgive the one man who stood between them and their dream of an ethnically cleansed Hindustan—Gandhi. Even after they succeeded in killing him, they could not erase his memory and have continued a hate campaign.

When Nathuram pulled the trigger he not only accomplished something he had tried and failed at several times before, but he also did an immense favour to the now estranged political heirs of Gandhi. A martyred Mahatma was so much easier to live with. Now they could exploit his name and the very special place that he held in the hearts of majority of the people of India when and how they wanted, without having to bear with his meddlesome ways and his 'impractical' philosophies. However, Gandhi had once said, 'If my faith burns bright, as I hope it will even if I stand alone, I shall be alive in the grave, and what is more, speaking from it.'

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* Khan was also known as the Frontier Gandhi or Sarhad Ke Gandhi.

ATTEMPTS THAT FAILED

'By the grace of God I have been saved from the proverbial jaws of death, seven times. I have not ever hurt anybody. I consider no one to be an enemy, so I fail to understand why there have been so many attempts on my life. The attempt on my life yesterday failed. I am not ready to die just yet. I am going to live till I reach 125 years.'

– MAHATMA GANDHI, on 30 June 1946,
in Poona, after a failed attempt on his life

'But who will allow you to live that long?'

– the mocking retort by NATHURAM VINAYAK GODSE,
his eventual murderer

Of the seven attempts on Gandhi's life, five are well documented and involve the Pune branch of the Hindu Mahasabha; three of these point specifically to the involvement of Narayan Apte and Nathuram Godse*. The last of these was when a bomb was exploded at a prayer meeting on 20 June 1948. It was during this attack that Madanlal Pahwa was arrested. This last failed attempt on Gandhi's life and his murder have not been described here as it has been described in detail in a previous chapter. What this chapter aims to do is attempt to analyse the previous failed attempts and reason behind the continuing anti-Gandhi campaign.

Godse and Apte, the Hindu Mahasabha as well as their offshoot, the RSS, have always claimed that Gandhi was murdered because he was partial to the Muslims; because he was responsible for the vivisection of India; and because he forced the Government of India to pay Pakistan Rs. 55 crores. However, the previous attempts on his life all came at a time when Gandhi had never been accused of partiality towards Muslims, the country was yet to be divided, and, therefore, there was no question of paying Pakistan anything. Yet the Hindu Mahasabha and the Godse-Apte

gang had made him their target. Was it Gandhi's campaign to eradicate untouchability that offended the Hindu supremacists?

THE FIRST ATTEMPT—BOMB THROWN IN POONA

25 June 1934, Poona:
On 25 June 1934, Gandhi was in Poona to participate in the *Harijan Yatra.* He was to deliver a speech at the Corporation Auditorium and receive an award from the city council. There are many versions of this story. An eyewitness account has been recorded by Shripad Joshi in his book *Mahatma, My Bapu.* Following is an extract from the fourth chapter titled 'From Death's Jaws'. There are other recorded versions which have slight variations, and those have been described.

'Like men, towns and cities also have their individuality, their virtues and faults, their peculiarities. Some are primarily business towns, some are known for their fighting spirit and some for their interest in learning. Poona is no exception. It is known as the seat of learning. Poona has played a vital role in creating the national spirit and the reformist movements in Maharashtra. At the same time, side by side with these, there has been a strong current of reactionary thought, opposed to all progressive thought and action in Poona, like the serpent in the forest of Sandalwood. It was Poona which led the strongest opposition to Gandhiji and his thoughts. Perhaps Poona was afraid that the leadership of India brought to it by Lokmanya Tilak would be taken away by Gandhiji.

'But it seems that Gandhiji had, inexplicably, a strong fascination for Poona. It is possible that he was secretly fascinated by Poona which was sanctified by social reformers, workers and patriots like Ranade, Phule, Gokhale, Tilak, Agarkar, Shinde, Karve etc. He had stayed in and taken vital decisions at various places in Poona, like the Yervada Jail, the Aga Khan Palace, Dr. Dinshaw's Nature Cure Clinic and Panchgani. I wonder if he knew that it was Poona which was going to make him a martyr!

'On January 30,1948, it was a Poonaite who assassinated the Father of the Nation and became the centre of world's anger and loathing. What peace can this give to his soul!

'But even before obtaining this distinction, Poona had tried its hand at a similar attempt, on June 25, 1934. Indian terrorists (revolutionaries) had tried their hand at throwing bombs at men attending a reception in honour of some British dignitary and had often gained the admiration of people

because in those cases they reflected the feelings of the people. But the unknown person who threw a bomb at Gandhiji in the Poona Municipal Hall was never honoured thus.... Even today I recall the terrible blast of that bomb.

'June 25, 1934. An unforgettable evening in the life of the citizens of Poona. Gandhiji had come to Poona during an all-India tour undertaken to bury, once for all, the monster of untouchability. Despite the displeasure of the Government, the Poona Municipality had decided to honour him on behalf of the citizens for this great mission.

'The Municipal Hall was chockfull of the people of Poona and the crowd had spilled out into the streets outside. Our Boy Scout Band was awaiting his arrival in the southern balcony on the first floor of the building. I was the flute-player in that band. Our Boy Scout Band was patronised widely in those days. We used to feel somewhat embarrassed when called upon to play during ceremonies like marriages etc., but were glad to be called in for functions like the one in the Municipality. We were happy that we were participating in a welcome to Gandhiji and would see him that day.... Shortly we heard shouts of "Gandhiji has arrived" "Mahatmaji has come", "that is his car" etc., from the crowds outside and struck up a tune. A car stopped under the balcony. We thought that Gandhiji would alight and all of us would be able to see him. I leaned over the balcony while continuing to play the flute. Suddenly.... A deafening noise was heard drowning the music of the band. Alarmed, we looked at each other. We could not guess what it was but felt that something evil had happened. However, we continued to play. After some time we were told that it was not Gandhiji but Annasaheb Bhopatkar who had arrived.

'Gandhiji arrived after some time and we saw his frail figure. The function went through without a hitch. After he had left, we began to collect our instruments for departure when we were surrounded by the C.I.D. We were searched thoroughly. But the real culprit had already run away. The government announced a big award for his apprehension, but he was never found. As a result, it was never found out whether the terrorist was some opponent burning with jealousy at Gandhiji's popularity or was some fanatic orthodox Hindu who thought that his religion would be destroyed by the removal of untouchability.'

Writing about this incident in Gandhi's biography, Acharya Shankar Dattatreya Jawdekar says: 'When Gandhiji was on his way to receive the

address, some fanatic Hindu, enraged at his devotion to the cause of the untouchables threw a bomb at him. Fortunately, it went astray and Gandhiji was unharmed. The police have been unable to catch the terrorist.... The protection of righteousness, and righteous conduct was the essence of Gandhiji's eternal religion. But some of those who called themselves the real followers of the eternal Hindu religion thought that it could be saved only through the murder of Gandhiji. When this stupid and evil orthodoxy was embellished with politics, militant Hindu nationalism was born which resorted to terrorist conspiracy. In the end, a blind follower of this perverted Hindu terrorism assassinated Gandhiji. But Gandhiji had already accomplished his mission of freedom for India.'

It was an extraordinary coincidence that the bomb should have been hurled at the car of Annasaheb Bhopatkar, notorious for his fanatical opposition to Gandhi. Bhopatkar was slightly injured with glass splinters, but his courage and self-control were such that he went and occupied his seat unperturbed by the injuries. All this happened so suddenly that only the police and a few others were aware of it. Even Gandhi was told of it only after the function was over. How pained he was by it was evident in the statement he made about the incident.

'I cannot believe,' Gandhi said, 'that any sane Sanatanist [orthodox] Hindu could ever encourage the insane act that was perpetrated this evening. However, I would like the Sanatanist friends to control the language that is being used by the speakers and writers claiming to speak on their behalf. The sorrowful incident had undoubtedly advanced the Harijan cause. It is easy to see causes prosper by martyrdom of those who stand for them. I am not aching for martyrdom, but if it comes my way in prosecution of what I consider the supreme duty in defence of the faith I hold in common with millions of Hindus, I shall have well earned it and it will be possible for the historian of the future to say that the vow that I have taken before the Harijans that I would, if need be, die in the attempt to remove untouchability was literally fulfilled. Let those who grudge me what yet remains to me of this earthly existence, know that it is the easiest thing to do away with my body.... What would the world have said, if the bomb had dropped on me and my party, which included my wife and three girls who are as dear to me as daughters and are entrusted to me by their parents? ... I have nothing but deep pity for the unknown thrower of the bomb. If I had my way, and if the bomb-thrower was known, I should certainly ask for his

discharge even as I did in South Africa, in the case of those who successfully assaulted me. Let the reformers not be incensed against the bomb-thrower or those who may be behind him. What I should like them to do is to redouble their efforts to rid the country of the deadly evil of untouchability.

A description that is slightly at variance with the one described above, says that the hand grenade bounced off the bonnet of the car in which Gandhi was travelling and rolled some distance away before exploding and injuring some officials. In another version it is said that there were two cars in which Gandhi and his entourage were being brought to the venue. At a railway crossing they got separated and so the car bringing Gandhi to the venue reached a minute later than the first car. When the first car arrived, it was assumed that Gandhi was in it; the band started playing and the welcoming committee rushed towards the car. The assassin assumed that his victim had arrived and dropped the grenade from his perch on the roof. The hand grenade landed on the bonnet of the car and rolled on to the middle of the street before exploding. The car in which Gandhi was travelling reached the venue just a few seconds after the explosion. Gandhi saw the damage, but decided to go ahead with the programme.

In yet another version, a number of people are claimed to have been injured: the chief officer of the municipal corporation, two policemen and seven others.

The bomb was reportedly hurled by anti-Gandhi Hindu extremists, as mentioned by Pyarelal in his book and by Gandhi's biographer B.G. Tendulkar. Pyarelal writes: 'This time their attempt was very well planned and executed to perfection....' This implies that there had been prior attempts on Gandhi's life, and that the people responsible for the previous attacks, were involved in this one too. Pyarelal's remark also implies that the attempts before 25 June 1934 failed due to lack of planning and coordination and that the murderers were getting better each time'.

Pyarelal writes: 'These people kept photographs of Gandhi, Nehru and other Congress leaders in their shoes. They were trained to shoot at Gandhiji's photograph as a target. These were the same people who later murdered the Mahatma while he was striving to bring peace to a riot ravaged Delhi, in 1948'.

The attackers escaped and, surprisingly, there is no record of any investigations or arrests. Perhaps this was because the injuries caused were

minor and the police did not feel the necessity to launch a thorough investigation.

This was the first documented attempt in India on Gandhi's life. Many historians have alleged that this could have been the work of the Nathuram Godse-Narayan Apte gang. This gang was involved in several other bomb attacks on those critical of Hindutva and the dominance of upper castes. This was also the time when the Hindu Mahasabha was extremely active and Savarkar had toured India, spreading his doctrine of Hindu supremacy and anti-Muslim rhetoric.

Ever since Gandhi's campaign of Harijan assimilation and his fight to have Harijans enter temples, Sanatani Hindus had been angry with him. They held demonstrations against Gandhi all over the country.

THE SECOND ATTEMPT— NATHURAM ATTACKS GANDHI IN PANCHGANI

July 1944, Panchgani:
After his release from the Aga Khan Palace Prison Camp in May 1944, Gandhi contracted malaria and was advised rest by his physician. He retired to Panchgani, a mountain resort near Poona, where he stayed at the Dilkhush Bungalow. A group of eighteen or twenty men reached Panchgani by a chartered bus from Poona and held a daylong protest against Gandhi. When Gandhi was told about this, he invited the leader of the group, Nathuram Vinayak Godse, for a discussion. Nathuram rejected the invitation and continued with the demonstration.

During the prayer meeting that evening, Nathuram Godse, dressed in a Nehru shirt, pyjama, and jacket, rushed towards Gandhi. He was brandishing a dagger in his hand and shouting anti-Gandhi slogans. Godse was overpowered by Manishankar Purohit, the proprietor of the Surti Lodge of Poona, and D. Bhilare Guruji of Satara, who later became a Congress member of the legislature from Mahabaleshwar. The other youth accompanying Godse ran away. Godse's attack caused a minor panic in the prayer meeting, but Gandhi remained calm. He asked Godse to spend eight days with him so that he could understand his point of view. Godse rejected this invitation and was allowed to go free by a magnanimous Gandhi.

Before leaving Poona, Godse had boasted to his journalist friends that some important news concerning Gandhi would soon reach them from Panchgani. Joglekar, a reporter working for Godse's periodical *Agranee*,

corroborated this fact. A. David, the then editor of the *Poona Herald*, stated under oath, while deposing before the Kapur Commission, which was set up in the late Sixties to investigate the conspiracy behind Gandhi's murder, that Godse had made an attempt on Gandhi's life and he had also heard of his boast to fellow journalists about the planned attack. In a small news item, the *Times of India* reported that a Poona-based editor had attempted to assault Gandhi.

The police records show that there were day-long demonstrations against Gandhi at Panchgani. The records also mention that Godse was held for trying to rush at Gandhi shouting slogans but does not state whether he was armed. Dr. Sushila Nayyar, Gandhi's physician and close associate, testified before the Kapur Commission that one of the protesters was found to be carrying a dagger, but could not confirm whether it was Nathuram Godse. However, the two men who overpowered Godse—Manishankar Purohit and D. Bhilare Guruji— testified to this attack during the Kapur Commission, and stated that they had caught and disarmed Nathuram Vinayak Godse, that day at Panchgani.

I had the opportunity to meet Bhillare Guruji on 13 January 2007 at Sangli. He is in his mid-eighties, a very strong and active man with a razor-sharp memory. Asked to narrate the happenings of that fateful day sixty-three years ago, Bhillare firmly stated that Nathuram Godse tried to attack Gandhi. According to Bhillare, Nathuram was brandishing a jambhiya, dagger. Describing how he intercepted Nathuram and disarmed him with the help of Manishankar Purohit, Bhillare said that when they grappled with Nathuram and wrestled him to the ground, Gandhi hailed them and instructed them not to be rough with the attacker. He wanted them to bring Nathuram to him so they could talk. Bhillare also mentioned that Vishnu Karkare, Thatte, Badge and Gopal Godse were also present in the group which had arrived from Poona to hold an anti-Gandhi demonstration. All these people were involved in Gandhi's murder four years later.

THE THIRD ATTEMPT—THREAT TO LIFE AT SEVAGRAM; GODSE INVOLVED

September 1944, Sevagram:
In 1944, Gandhi was preparing to hold talks with Jinnah, but the Hindu Mahasabha and RSS were opposed to this. Nathuram Godse and L.G. Thatte announced their resolve to prevent the two from meeting. They

publicly threatened to do whatever was required to achieve their objective. Gandhi began his talks with Jinnah in Bombay on 9 September 1944. The talks lasted for eighteen days, and proved to be futile. But Gandhi had given his best and had been most sincere in his attempt to win over an obstinate Jinnah.

Gandhi travelled from Sevagram to Bombay for the talks. Godse and Thatte led a gang of men to stop Gandhi and were joined by some more from Bengal. The gang picketed the front gate of Sevagram Ashram to ensure that Gandhi did not leave for Bombay. Dr. Sushila Nayyar testified before the Kapur Commission, that Nathuram Godse was stopped and detained by Ashramites as he tried to reach Gandhi and a 'jambiya', dagger, was found on his person. The police report of the assault also corroborates this fact. The report adds: 'It wasn't certain that they meant to harm Gandhi, but they were armed and determined to stop him from meeting Jinnah at any cost'.

Pyarelal, in his letter to Tej Bahadur Sapru wrote: 'The leader of the protestors at Sevagram, an extremely bitter and fanatical die-hard, was ready to go to any lengths to stop Gandhiji from meeting Jinnah. The arresting officer who recovered the dagger from the leader of the band asked him mockingly, whether he wanted to become a martyr. The leader replied that when Gandhi was eventually killed one of them would become a martyr. The officer again asked him why they were wasting their time and lives in the fight between their leaders and Gandhi. If Gandhi was to be stopped why didn't they leave it to Savarkar, their leader? The leader of the gang replied "If Savarkar talks with Gandhi it will be an honour for Gandhi. The time will not come for Savarkar to talk to Gandhi. Gandhi will be dealt with by this *Jamadar*".' Pyarelal wrote that the person indicated by the group leader was Nathuram Godse.

No clarification is given about the others in the gang.

THE FOURTH ATTEMPT—TRAIN SABOTAGED, EN ROUTE TO POONA

29 June 1946, en route to Poona by train:

On his way to Poona, the train carrying Gandhi—known as the 'Gandhi Special'—met with an accident between the Nerul and Karjat stations on the night of 29 June. The engine driver in his report claimed that he saw boulders placed on the tracks in front of the train with the intention to derail

it. The train crashed into the boulders, but a tragedy was averted because the engine driver was alert and had applied the emergency breaks which slowed down the train before impact. The wheels and axle of the engine were severely damaged, however. Another engine was sent and the 'Gandhi Special' was taken to Poona. Gandhi slept through the entire episode.

The Poona police claimed that the boulders were placed by looters to stop goods trains. But the railway records showed that there were no such trains on the section before or after the train known as the 'Gandhi Special' carrying Gandhi to Poona that day. The police have not discounted sabotage, and since the 'Gandhi Special' was the only train on that route at that time, it was most likely the target.

On 30 June, speaking at the prayer meeting at Poona, Gandhi said, 'By the grace of God I have escaped from the jaws of death seven times. I have not hurt anybody nor do I consider anybody to be my enemy, I can't understand why there are so many attempts on my life. Yesterday's attempt on my life failed. I will not die just yet, I aim to live till the age of 125'.

'But who will allow you to live that long,' was Nathuram Godse's mocking retort. This was mentioned after Gandhi's murder, by a few people who claimed to have been present at that very prayer meeting. This disclosure finally coerced the government into appointing the Kapur Commission of Inquiry. On 20 January 1948, a bomb exploded a few metres behind where Gandhi sat to conduct his evening prayer meeting. Madanlal Pahwa was arrested from the scene. According to his confession, the bomb explosion was a part of an attempt to murder Gandhi. Madanlal gave the police details of who was behind the attempt, and added, *Woh phir ayega',* 'He will come back'.

On 30 January 1948, at 5.17 pm, ten days after the last failed attempt, Nathuram Godse walked up to Gandhi, pulled out an automatic pistol and pumped three bullets into his chest from a distance of three feet.

Godse had finally succeeded in killing Mahatma Gandhi.

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* In writing this, I have referred to Pyarelal's *Mahatma Gandhi: The Last Phase*, Tendulkar's *Mahatma* and *Mahatmey Chi Akher* (The End of the Mahatma) a book in Marathi by the late Jagan Phadnis.

BOOK 2

THE LAST YEARS

'There go my people and I must follow them for I am their leader.'
– MARTIN LUTHER KING

The last two years of Gandhi's life were tumultuous. His moment of triumph had turned into unmitigated tragedy; his beloved motherland was being divided. Even more tragic was the fact that the people whom he had so painstakingly united to fight against a colonial power were now turning against, each other. The cornerstone of his faith—nonviolence—was being put to its most severe test. Gurudev Rabindranath Tagore had implored him:

'Aekla chalo re,
Walk alone.'

Walk Alone.
If they answer not to thy call, walk alone;
If they are afraid and cower mutely facing
the wall,
O thou of evil luck,
open thy mind and speak out alone.

If they turn away and desert you when
crossing the wilderness,
O thou of evil luck,
trample the thorns under thy tread,
and along the blood-lined track travel alone.

If they do not hold up the light
when the night is troubled with storm,
O thou of evil luck,
with the thunder-flame of pain ignite
thine own heart
and let it burn alone

During the last two years of his life, apart from a small band of loyal camp followers, Gandhi walked alone.

BRITISH INTRIGUE

Gandhi was released, earlier than expected, on 6 May 1944, twenty-one months after his detention on the eve of 9 August 1942, after giving the clarion call of 'Quit India' and 'Do or die'. His last imprisonment, at Aga Khan Palace, had been traumatic. He had lost two of his closest companions, his wife Kasturba, and Mahadev Desai, his secretary of twenty-five years whom he had loved as a son. He had cremated them on the grounds of the prison camp and then lovingly built two small memorials from stone and mud.

As the car carrying Gandhi out of the prison camp reached the gates, he glanced out of the window and caught a fleeting glimpse of a pile of wood in a corner of the compound. Enough sandalwood had been stocked by his British jailors for his funeral, in case he died while in prison. Twice during his last incarceration, the administration had assumed that he was on his death bed. Once, when he went on a fast, the guard around the detention camp had been doubled and the armed forces and police were on high alert throughout the Raj to suppress any agitation caused by the news of Gandhi's demise. The second time was when he was suffering from dysentery and malaria. This time the Foreign Office even issued a guideline to all its offices worldwide on how his obituaries should be written, which was signed by the foreign secretary, Anthony Eden. The Chungking Office received a copy while the Indian savant and philosopher Dr. S. Radhakrishnan happened to be there. The instructions on the despatch were: 'In case of Gandhi's death do not diminish his moral stature, acknowledge his uncompromising allegiance to unworldly ideals, express regret that his unrivalled influence was not at the service of the Allied Nations, especially China and India'.

Gandhi would not die that easily though, not while his work was still incomplete. As the car proceeded towards Parnakutir, the mansion of Lady Premlila Thackersey, Gandhi was thinking about Kasturba and Mahadevbhai. 'She had been so eager to get out of prison. Yet I know she would not have had a better death.' 'Both she and Mahadev laid down their lives at the altar of liberty They have become immortal.' In memory of

Kasturba, Gandhi wrote to the government of Bombay province on the day he was released, 'I wish to put on record ... that by reason of the cremation of the corpses of Shri Mahadev Desai and then my wife, the place of cremation ... becomes consecrated ground.... I trust that the plot will be acquired by the Government.... I would like to arrange for the upkeep of the sacred spot and daily prayers'.

The British released him when the Allied war machine swept across the English Channel and landed on the beaches of France to reclaim Nazi-occupied Europe to finally crush the Nazi war machine. This led to the surrender of the Axis in Europe and the suicide of the Nazi Adolf Hitler, to bring to an end one of the most devastating wars in the twentieth century in Europe.

After his release from prison the British continuously tried every ploy to get Gandhi to retract the 1942 resolution of the Congress asking the British to quit India and declare independence. Gandhi insisted that the resolution was passed by the CWC and only they could withdraw it. The entire leadership of the Congress was in various prisons; Gandhi demanded that they should either be released or be allowed to meet in prison to decide on the future course of action. To Lord Wavell, the viceroy, he wrote asking him to, 'Find the keys to Aurangabad Fort' where almost the entire CWC was detained, if he wanted to make progress on the Indian question.

To his bitter critic, the British wartime prime minister Sir Winston Churchill, he wrote seeking permission to allow him to meet with the CWC in prison. Below is reproduced the letter from *Mahatma Gandhi: The Last Phase* by Pyarelal Nayyar.

Dilkhusha,
Panchgani
17th July, 1944

Dear Prime Minister,

You are reported to have the desire to crush the 'Naked Fakir' as you are said to have described me. I have been long trying to be a fakir and that naked—a more difficult task. I, therefore, regard the expression as a compliment though unintended. I approach you then as such and ask you to trust and use me for the sake of your people and mine and through them those of the world.

Your Sincere Friend,
M.K. Gandhi

The letter to Churchill went astray. Two months later another copy was sent. Churchill responded indirectly, thanking Gandhi for his letter via the viceroy's office. It was quite clear that the British were not willing to listen to any demand from Gandhi or the Congress. They had their own game plan. In his reply, then viceroy Lord Wavell wrote that he did not see anything constructive either in asking to be allowed to meet and confer with the CWC members or in the basis of a settlement as proposed by him. Gandhi expressed his disappointment at the stance taken by the viceroy and submitted a 'concrete proposal': 'I am prepared to advise the Working Committee to declare that in view of changed conditions mass Civil Disobedience envisaged by the resolution of August, 1942, cannot be offered and that full cooperation in the war effort should be given by the Congress if a declaration of immediate Indian Independence is made and a National Government responsible to the Central Assembly be formed subject to the proviso that during the pendency of the war, the military operations should continue, as at present but without involving any financial burden on India'. This proposal was made on 30 July 1944. He concluded with the message: 'I shall continue to knock so long as there is the least hope of an honourable settlement'.

But the British were in no mood for an 'honourable settlement'. After raising their pet bogeys about 'their duty to safeguard the interests of the racial and religious minorities and of the depressed classes, and their treaty obligations to the Indian states' which came in the way of acceding to Gandhi's demand, and reminding him that the British offer made by Sir Stafford Cripps of unqualified freedom after the cessation of hostilities was 'conditional upon the framing of a constitution agreed by the main elements of India's national life', Wavell further reiterated that 'it was the most pious desire of His Majesty's Government to settle the vexed Indian problem'. He concluded, 'But proposals such as those put forth by you are quite unacceptable to His Majesty's Government as a basis of discussion.' The reply was from Wavell but the language was that of Prime Minister Churchill. Gandhi commented that the viceroy's reply meant that 'unless all the main parties agree to the constitution of the future, and there is agreement between the British Government and the main parties, there is to be no change in the constitutional position, and the Government of India as at present is to be carried on.... It is as clear as crystal that the British

Government do not propose to give up the power they possess over the 400 millions, unless the latter develop strength enough to wrest it from them. I shall never lose hope that India will do so by purely moral means'.

And so he led continuous non-violent demonstrations against the British. His was the method of erosion caused by flowing water and wind; although it took time, they continuously gnawed away at the imposing rocks, till the mountains turned into dust.

Finally, in 1945, the war ended. The Allies were triumphant but the British Empire was crumbling. They had realised that they had lost whatever moral right they had assumed, to keep many parts of the world enslaved; they had to let go of their empire piece by piece. India was one of the most important colonies that they would have to soon give up. But the British were not going to let go that easily. If they had to give up the jewel in their crown, they would extract a dear price for it. They knew that when they left they would have to hand over power to the Congress, their bitter enemy, one who had extracted a far greater price from them than they had ever paid in any of the violent wars they had fought to build their empire. The non-violent fight for freedom had made the British lose face. They would use their allies, the newly revived Muslim League led by Jinnah, and the princely states to divide India in such a way that the shape of independent India would resemble the tattered remains of a once glorious tapestry.

Earlier, Mohammed Ali Jinnah, the self-proclaimed leader of India's Muslims, had abandoned India and the freedom movement after the Round Table Conference and moved to London where he had established a legal practice in the Privy Council. In the 1930s he was invited to come back to India by the rich middle class, the ultra-conservative elements of the Muslim community, with the tacit approval of the British government, to revive the moribund Muslim League as a counter-force to the political monopoly of the Congress. The pork-eating, Scotch-loving and chain-smoking brown sahib, Jinnah, overnight became a Muslim fundamentalist, but only in public. He thwarted the attempts of the Congress to put up a united front against the British. He sided with the British when the Congress refused to join the war effort and launched the Quit India movement. Under his leadership the League barely managed to get five per cent of the Muslim votes, while the Congress swept the 1935 polls and was invited to take power in seven out of the eleven provinces. An embittered

Jinnah realised that he would not be able to achieve his political goals in an undivided India under the sway of the Congress and its leader Gandhi. He could, however, realise his lust for power by allying with the British during the war and then demanding a separate Muslim nation as a reward.

Ironically, his ideological rival V.D. Savarkar also adopted a similar strategy to increase his clout over the Hindus.

THE GANDHI-JINNAH TALKS

Gandhi knew that India could only thrive and prosper as an independent nation if all the religious groups and the princely states came together to form a united nation. He was willing to go to any lengths to achieve this. He had realised that the steepest hurdle he would face in this task would be Jinnah, tacitly supported by the British. Gandhi had made efforts to win over the support of both Jinnah and his Muslim League even before he was arrested in 1942 in the wake of the 'Quit India' call. On 4 August Gandhi had made an offer to Jinnah and the Muslim League, through a common friend, Meklai. The terms he offered for a united front against the British were: 'Provided the Muslim League co-operated fully with the Congress's demand for immediate independence without the slightest reservation ... the Congress will have no objection to the British Government transferring all the power it today exercises to the Muslim League on behalf of the whole of India, including the so-called "Indian" India. And the Congress will not only not obstruct any Government that the Muslim League may form on behalf of the people, but will even join the Government in running the machinery of the free state'. Some time earlier, Congress President Maulana Abul Kalam Azad had publicly made a similar offer. Jinnah, who had set his mind on an independent Pakistan, rejected the offer saying that he could not respond to a public statement or one that was conveyed through an intermediary. If the Congress wished to negotiate, its leaders would have to hold one to one talks with him. Gandhi was willing to meet Jinnah, but four days later he was detained and then incarcerated by the British.

In April 1943, while addressing an open session of the Muslim League in Delhi, Jinnah said that nobody would welcome it more than he if Gandhi was really willing to come to a settlement with the Muslim League: 'If that is Mr. Gandhi's desire, what is there to prevent him from writing direct to me?.... strong as this Government may be in this country, I cannot believe that it would have the daring to stop such a letter if it were sent to me. It

would be a very serious thing indeed if such a letter were stopped.... If there is any change of heart ...he has only to drop a few lines to me. Then the Muslim League will not fail.' Gandhi responded from prison expressing a willingness to meet Jinnah. 'There seems to be an "if" about your invitation. Do you say I should write only if I have changed my heart? God alone knows men's hearts. I would like you to take me as I am. Why should not both you and I approach the great question of communal unity as men determined on finding a common solution and work together to make our solution acceptable to all who are concerned with it or interested in it?' The government stopped the letter from reaching Jinnah. The Qaid-i-Azam, who had publicly dared the British to try and stop Gandhi's letter from reaching him, meekly accepted it when an obviously censored letter was given to him by the British. Jinnah reacted by saying that this was not what he had expected to hear from Gandhi. He wanted Gandhi to first accept the Muslim League's demand for a separate country and then write to him. 'This letter of Mr. Gandhi can only be constructed as a move on his part to embroil the Muslim League to come into clash with the British Government solely for the purpose of his release'.

C. Rajagopalachari, a close associate of Gandhi, had opposed the Congress' stand on the Quit India resolution and disagreed with the policy of non-cooperation with the British war effort. Consequently, he had not been arrested by the British in 1942. Rajaji, as he was popularly known, believed that if the Congress and the Muslim League came together, the battle for independence would be won emphatically and in a very short time. He believed that if the Congress agreed to the right of self-determination for the Muslim-majority areas as demanded by the Muslim League, they would join hands with the Congress in demanding India's independence and the British would not be able to refuse.

When the gates of the Aga Khan Palace Prison Camp were briefly thrown open by the British, who feared that as a result of the fast undertaken by Gandhi and the various ailments he was suffering he was close to death, Rajaji availed of the brief respite and put forth a formula he had evolved to bring about a settlement between the Congress and the Muslim League. The formula became popularly known as the 'Rajaji Formula', which envisaged that: (1) the Muslim League should endorse the Indian demand for independence and cooperate with the Congress in the formation of a provisional interim government for the transitional period;

(2) the Congress would agree, after the termination of war, to the appointment of a commission to demarcate contiguous districts in north-west and north-east of India, wherein the Muslims were in absolute majority; (3) in the areas thus demarcated a plebiscite of all the inhabitants held on the basis of adult franchise or some equivalent device would decide the issue of separation from India. If the majority decided in favour of forming a sovereign state separate from India, such decision would be given effect to; (4) in the event of separation, mutual agreement would be entered into for safeguarding defence, commerce, communications, and other essential matters; and finally (5) these terms would be binding only in case of transfer by British of full power and responsibility for the governance of India.

Gandhi endorsed the Rajaji Formula. Rajaji then presented the plan to Jinnah who summarily rejected it and described it as offering 'a shadow and husk, maimed, mutilated, and moth-eaten Pakistan'. He insincerely offered to place it for consideration to the Muslim League Council if Rajaji so desired. This was a futile gesture as the Muslim League Council was an ineffectual showpiece body which was totally dominated by Jinnah. After his public comments about the Rajaji Formula, it was a foregone conclusion that it would be rejected by his 'yes men' in the Muslim League Council. Rajaji released the plan to the press with the hope of creating a public opinion which would force Jinnah to accept it. Jinnah reacted in accordance with his true character: 'With it private negotiations end. It is necessary to take the public into confidence now.'

After his release Gandhi revived his efforts to bring Jinnah back into the fold of the national movement. On 17 January 1944 he wrote to Jinnah, this time intentionally using their common mother tongue, Gujarati. Jinnah was a Muslim from Kathiawad and on past occasions Gandhi had forced him to speak in Gujarati at public functions. 'Brother Jinnah, there was a time when I was able to induce you to speak in the mother tongue. Today I venture to write to you in the mother tongue. I have already suggested a meeting between you and me in my invitation from jail. I have not yet written to you since my release. Today I feel prompted to do so. Let us meet whenever you wish. Do not regard me as an enemy of Islam or of Indian Muslims. I have always been a servant and friend to you and mankind. Do not disappoint me.' By writing in Gujarati, Gandhi was subtly reminding Jinnah that Hindus and Muslims shared many vernacular languages and

regional cultures, which negated one of the reasons put forth by Jinnah and the Muslim League to buttress their demand for Pakistan: that two distinctly separate nations existed in India, one Hindu, the other, Muslim. A theory also advocated by the Hindu Right-wing leader Savarkar. Jinnah replied from the houseboat *Queen Elizabeth* anchored on the Dal Lake in Srinagar: 'Dear Mr. Gandhi, I will be pleased to receive you at my home in Bombay, on my return from Kashmir some time in the middle of August'.

Pressure was building on both sides for negotiations to start and for the deadlock to be broken. The Muslims, whom Jinnah claimed to represent, and the rest of India led by the Congress, looked expectantly towards Gandhi; they were certain that if anybody could provide a breakthrough, it would be him. But there were vested interests who were working in another direction. The Hindu Mahasabha, weary of a Muslim League-Congress rapprochement, sent its storm troopers to prevent the talks. For a fortnight they picketed Sevagram Ashram, claiming that they would prevent Gandhi from attending the talks in Bombay. They were prepared to go to any extent. Gandhi faced up to their challenge and left for the talks as per his schedule, undeterred by the threats of physical harm and dire consequences issued by the fanatics and their behind-the-scene puppet masters. The group of picketers included Thatte and Nathuram Godse.

A large band of khaksars, a body of militant Muslims, modelled on the infamous Nazi Shulzstaffel 'SS', held parades through the communally sensitive areas of Bombay to create a 'proper' atmosphere for the Gandhi-Jinnah talks. Their aim was to display the might of the Muslim League so that the Congress and the one true leader of the Indian masses did not steamroll Jinnah. This was the amount of faith Jinnah's supporters had in their leader's ability to stand up to Gandhi. But Jinnah was not banking on the support of the group he claimed to lead. His strength was based on his knowledge that the British colonial administration was backing him and would thwart any move made by the Congress and Gandhi to try and convince the British government to overlook the Muslim League's demands.

The atmosphere in Bombay on the eve of the talks was electric. The police was on full alert; many of the streets and roads in the vicinity of Malabar Hill—where the two principal characters were staying—were blocked off. The entire city was placed on red alert. Gandhi took up residence at Birla House, which stands half-way up Malabar Hill towards

the Nepeansea Road sea front. Jinnah's home was up ahead at 10, Mount Pleasant Road. Jinnah added his own quirk to the already colourful atmosphere by 'requesting' members of the press to stay away, since these were private talks. He made a concession to film companies and photographers by allowing them to photograph and film Gandhi's arrival and departure.

This was one of the rare occasions when Jinnah referred to Gandhi as Mahatma Gandhi, appealing to him to promulgate a period of political truce saying, 'It has been the universal desire that we should meet. Now that we are going to meet, help us. We are coming to grips. Bury the past.'

The talks began on 9 September 1944, and continued for eighteen days. The eyes of the world were focused on the events taking place in this tiny elite enclave of south Bombay. As per the schedule, Gandhi would leave late afternoon each day with a tiny retinue to walk up a winding road lined by the mansions of the elite officials of the colonial administration and enter the gates of 10, Mount Pleasant Road.

On the first day of the talks, Jinnah was waiting at his doorstep to greet Gandhi; they shook hands and then embraced each other providing a good photo opportunity. At the end of the talks that day Jinnah walked with Gandhi up to his porch, and the warmth he displayed as he saw him off was interpreted by observers as a portent of good tidings. But, as it turned out, the talks were an exercise in futility. Jinnah's only aim, perhaps, had been to try and convert Gandhi to his way of thinking.

They did not meet the following day, it being the twenty-first day of Ramzan. A former colleague of Jinnah wryly commented, 'Why did he not say it was Sunday and he wanted a holiday? Jinnah understands Sunday better than Ramzan.' The talks resumed in the evening of Monday, 11 September. Gandhi carried his dinner in a little box and ate during the talks. Throughout the period of the talks Rajaji was staying with Gandhi, and all the proceedings were reported to him. While talking to him once, Gandhi clarified his purpose in holding the talks '.... I am to prove from his own mouth that the whole of the Pakistan proposition is absurd. I think he does not want to break. On my part I am not going to be in a hurry. But he can't expect me to endorse an undefined Pakistan.'

Rajaji asked: 'Do you think he will give up the claim?'

Gandhiji replied: 'He has to, if there is to be a settlement. He wants a settlement, but what he wants he does not know. I want to show him that

your formula is the only thing he can reasonably ask for.'

There was a subdued optimism during the initial few days of the talks. But half-way through, on the occasion of Id, Jinnah went back to his vitriolic attack on the Congress and the Muslims in Congress. After propounding the virtues and progress of the Muslims as a 'nation', Jinnah indulged in a tirade against the 'renegades of the Millat, who are blocking our progress'. From then on, the talks headed in a predictable downhill direction. The talks completely broke down on 27 September. While the two leaders were talking to one another, with a completely closed mind on Jinnah's part and an ever-optimistic one on the part of Gandhi, they also kept up a steady stream of correspondence. Strangely, the correspondence were not affected by the talks and neither did the talks get influenced by the "letters. It was as if two sets of separate human beings were conducting the two simultaneously running events.

Gandhi stated that his life's mission was Hindu-Muslim unity. Therefore he was prepared to accept, if the Muslims so desired, the substance of the Muslim League's demand as put forth in the Lahore resolution, viz., self-determination for the areas where the Muslims were in a majority. But it was obvious that self-determination could not be exercised in the absence of freedom. Therefore, the League and all the other groups comprising India should agree to combine in the first instance to achieve independence by their joint effort. Jinnah responded, This is like putting the cart before the horse'. Gandhi maintained that unless they ousted the third party, they could not live in peace with one another. But he was ever ready to make an effort and that is why he had given his approval to the Rajaji Formula. It embodied the substance of the demand put forth in the Lahore Resolution, and gave it shape. However, Jinnah objected saying that the Rajaji Formula required the Muslim League to endorse the demand for independence on the basis of a united India. Gandhi explained that it was not on the basis of a united India. 'If we come to a settlement... we reach by joint effort independence for India as it stands. India, becomes free, will proceed to demarcation, plebiscite and partition, if the people concerned vote for partition.' Was not that the substance of self-determination?

Jinnah insisted that since the Rajaji Formula conceded in basis the Lahore Resolution, why didn't Gandhi accept the Lahore Resolution? Gandhi explained his difficulty in endorsing that as, 'The Resolution is vague and indefinite. It does not mention "Pakistan", nor does it talk about

the "Two-nation" justification for separation. If the basis for the League's Pakistan demand was religious, then was Pan-Islam its ultimate goal since all the Muslims of the world constituted one community? If, on the other hand, Pakistan was to be confined to Indian Muslims alone, would Jinnah explain what it was that distinguished an Indian Muslim from every other Indian, if not his religion? Was he different from a Turk or an Arab?' Jinnah replied saying that pan-Islam was a mere bogey. The word 'Pakistan', he admitted, did not figure in the Lahore Resolution but had now become synonymous with it. 'We maintain and hold that Muslims and Hindus are two major nations by any definition or test of a nation.' Muslims were a separate nation by virtue of their 'distinctive culture and civilisation, language and literature, art and architecture, names and nomenclature, sense of value and proportion, legal laws and moral codes, customs and calendar, history and tradition', and therefore, 'they were entitled to a separate, sovereign existence in a homeland of their own'.

Each of his statements was contrary to the facts, or at best half-truths. Urdu, the culture, art and architecture of the Muslims were all products of synthesis. Muslims in East Bengal understood and spoke only Bengali, Jinnah himself spoke Gujarati; in the south, Tamil, Telugu, Kannada and Malayalam were the languages of both the Hindus and the Muslims. In the villages of Bihar it was impossible to distinguish a Hindu woman from a Muslim woman by their dress, and their customs bore a distinct similarity. There were many instances of Hindus retaining their surnames even after conversion like Pandit, Roy, Chowdhury, Mazumdar and vice versa.

Jinnah recommended that, to enlighten himself, Gandhi should read a few books written by Muslim League ideologues. After studying them Gandhi concluded: 'They contain half truths and unwarranted conclusions and inferences.'

Finally Gandhi asked how an independent state as envisaged by Jinnah would materially and otherwise be benefitted by being split up and whether independent states would not become a menace to themselves and the rest of India. Jinnah replied that this was the only solution for the problem and the price India would have to pay for its independence.

'The more our arguments progress, the more alarming your picture appears to me,' Gandhi wrote to Jinnah on 15 September, 'as I ... imagine the working of the Lahore Resolution in practice, I see nothing but ruin for the whole of India.' After this, the correspondence entered a phase of

acrimony. At one stage Jinnah again questioned Gandhi's claim of representing the aspirations of all the downtrodden of India and reiterated that he accept the Lahore Resolution. Gandhi insisted that if at all there was to be a separation it should follow the model of a break-up in a family between two brothers who, although separated, continued to remain part of a larger family. Gandhi said he would accept the division of the country if, after independence, the majority of the adult population residing in the regions that were to be divided, voted for the division. In this case the two separated parts would still have certain common and shared responsibilities and policies in the field of defence, foreign affairs, internal communications, customs, and similar functions and terms of safeguarding the minorities in both the regions.

But Jinnah refused to have a separation on the basis of a plebiscite in which all the inhabitants of the region affected by the division would participate. He wanted it to be a solely Muslim decision, 'We claim the right of self-determination as a nation.... You are labouring under the wrong idea that "self-determination" means only that of a "territorial unit".... Ours is a case of division and carving out two independent sovereign States by way of settlement between two major nations, Hindus and Muslims, and not of severance or secession from an existing union, which is *non est* in India.' Gandhi replied on 15 September, 'I find no parallel in history for a body of converts and their descendants claiming to be a nation apart from the parent stock. If India was one nation before the advent of Islam, it must remain one in spite of the change of faith of a very large body of her children.... You seem to have introduced a new set of nationhood. If I accept it, I would have to subscribe to many more claims and face an insoluble problem.'

Gandhi's letter of 22 September said: 'We seem to be moving around in circles'. In a note written on the 23rd, he wrote: 'Last evening's talk has left a bad taste in the mouth'. After repeatedly trying to make Jinnah see his viewpoint, Gandhi realised he was getting nowhere and suggested that Jinnah let him address the Muslim League Council and see if he could convince them to accept his proposal. 'If they reject it call an open session of the League and allow me to address the session.' As a last resort he suggested that the issue be referred for arbitration. Jinnah rejected all these proposals. On 27 September, addressing a well-attended prayer meeting, Gandhi declared that the talks had failed to reach a satisfactory or mutually acceptable conclusion, and neither of the parties had been able to convince

the other. Although he had failed to achieve the result he had hoped for, Gandhi said, his was no sense of disappointment or despondency; he had tried his best to go as far as he could to meet Jinnah's viewpoint for the common good of all.

'All the parties and especially the members of the Muslim League should ask the Qaid-i-Azam to revise his opinion,' Gandhi said in a press statement the next day. 'If Rajaji and I have stultified the Lahore Resolution we should be educated.' In an interview to Stuart Gelder from the *News Chronicle,* he remarked, 'I believe Mr. Jinnah is sincere, but I think he is suffering from hallucination when he imagines that an unnatural division of India could bring either happiness or prosperity to the people concerned.'

Their talks had only been adjourned *sine die,* Gandhi said to another group of pressmen, 'I am convinced that Mr. Jinnah is a good man. I hope we shall meet again.... In the meantime it is the duty of the public to digest the situation and bring pressure of their opinion upon us.'

Thus the talks between Gandhi and Jinnah ended without much progress.

THE SIMLA CONFERENCE

As the Second World War drew to a close in Europe, public opinion in Britain and the neutral world became increasingly critical of the continued denial of self-determination leading to independence for the people of India. Great Britain had faced a very embarrassing situation at the Commonwealth Relations Conference, when its own nominee, the leader of the Indian delegation, demanded dominion status for India by a fixed date and told the British statesmen that they could not prevent India from achieving its goal.

Lord Wavell, a former soldier and current viceroy of India, had time and again pressed Whitehall to resolve the Indian deadlock, to enable India's active cooperation in the prosecution of the war in the Far East. In March 1945 Wavell was called to England by His Majesty's Government (HMG) for consultations on the situation in India and the road ahead. While he was in London, the war in Europe ended with the unconditional surrender of the Axis. The Labour Party withdrew from the wartime coalition and the government fell on 23 May. A caretaker government took charge and the next general elections were fixed for 5 July. As the date neared, even the Tory diehards, who had till then refused to even consider a change in HMG's policy towards India, realised that the reality could not be ignored any longer. Soldiers who had returned home after serving their wartime

duties in India had brought back with them horrifying stories of the brutal colonial regime and the total failure of the administration in providing relief during the Great Famine in West Bengal. Public opinion in Great Britain was now critical of their country's role in India. Many uncomfortable questions about the pitiable conditions in India were asked during election time. The tremendous goodwill that Gandhi enjoyed amongst the British was another factor that made it imperative for the politicians seeking reelection to show that they were willing to bow to the winds of change. If, by taking small steps towards resolving the Indian issue they managed to win a few more seats, there was no harm done.

On 14 June, with the concurrence of HMG, Lord Wavell made a public announcement explaining the intended constitutional amendments 'within the framework of the 1935 Government of India Act'. The viceroy would attempt to form a national government which would replace the existing Viceroy's Executive Council, with equal representation of caste Hindus and Muslims selected in consultation with the Indian leaders. Simultaneously, all the members of the CWC, detained since August 1942, were released, as a gesture to show that HMG and their colonial representatives were sincere in solving the Indian impasse.

Accordingly, a 'Simla Conference', chaired by the viceroy, was to be held starting on 25 June 1945, which would include invitees from all political parties and groups selected by the viceroy. Twenty-one invitations were sent out, eleven to the premiers of various provinces the leaders of the Congress party and the deputy leader of the Muslim League in the Central Assembly, the leaders of the Muslim League in the Council of State, the leader of the Nationalist Party and the European Group in the Central Assembly, one representative each from scheduled castes, the Sikhs and to Gandhi and Jinnah as the recognised leaders of the two main political parties. Initially, no invite was sent to the president of the Congress, Maulana Azad.

Gandhi was convalescing in Panchgani when he was informed about the Viceroy's broadcast by a press correspondent and the invitation to attend the conference. Gandhi immediately commented on the Congress president not being invited and wrote to the viceroy: 'I represent no institution formally. I am not even a primary member of the Congress since 1934, as an individual I can only tender advice. My presence in the Conference will change the official colour, unless I become an official representative of the Congress. The Congress President is the proper authority to represent the Congress

point of view'. In view of this an invite was immediately despatched to the president. Gandhi agreed to go to Simla as an experienced advisor and stay there as long as the viceroy and the other invitees needed him. In his broadcast the viceroy had not mentioned a word about Indian independence and ominously, for the first time, the term 'caste Hindu-Muslim parity' was used as a basic condition in the national government. Gandhi commented: 'Personally I can never subscribe to it, nor the Congress, if I know its mind. In spite of having overwhelming Hindu membership the Congress has striven to be purely political. I am quite capable of advising the Congress to nominate all non-Hindus and most decidedly non-caste Hindus.' He stressed this point further by saying, 'Congress has never identified [itself] with caste or non-caste Hindus and never can, even to gain independence, which will be one-sided, untrue and suicidal.'

The CWC met at Bombay after a period of three years. Most of the Congress leaders had just been released and many of them were nursing serious ailments. The one affliction they all shared was a broken spirit. Finally, the colonial power had succeeded in breaking their will to 'do or die'. One refrain heard from almost all the Congressmen when referring to imprisonment, was 'never again'. Now they would sit around the negotiating table, cut deals, make compromises and accept whatever was dished out. They were not going to lead mass agitations, no more civil disobedience movements, no more '*Chale jao',* 'Leave', shouted in defiance of the British police's picket lines at the head of thousands of their countrymen, on city streets and village squares of India, which led to mass arrests and prolonged incarceration. Now they wanted a negotiated understanding. They were afraid that if they allowed too much time to lapse in getting independence, not many of them would survive to reap the benefits. An 'instrument of instructions' was drafted for the Congress invitees to the conference. The Working Committee noted that a large number of its activists were still behind bars and many of the Congress committees were still banned, which was described as 'coercion'. However, it was decided that the Congress would attend the conference.

Gandhi refused to travel by the air-conditioned coaches provided for the Congress contingent, instead choosing to travel by his favourite third-class coach. Preston Grover, a correspondent with the United Press of America, was travelling by the same train. Concerned about Gandhi's physical well-being, he requested him to retire to the air-conditioned coach. Gandhi

replied: 'Many thanks for your considerate note. But let me melt myself in this natural heat. As sure as fate, this heat will be followed by refreshing coolness which I shall enjoy. Let me feel just a touch of real India'.

On arriving in Simla, Gandhi had a hurried bath and meal at Rajkumari Amrit Kaur's residence and left for a meeting with the viceroy. At the Viceregal Lodge, greeting Lord Wavell he said, 'I, too, am a soldier like you though I bear no arms.' After exchanging pleasantries and a few moments of casual talk, when Gandhi rose to take his leave he sent his compliments to Lady Wavell. He spent the next thirty minutes talking with her and the viceroy's son. Gandhi stayed with Rajkumari Amrit Kaur for the entire duration of the Simla Conference. He had a favourite seat on one of the raised terraces, from where he gazed at the scenery, the pristine, eternally snow-covered Himalayan mountain range and the fir-clad hills and valleys. The azure blue skies formed a breathtaking backdrop for the pearly white brilliance of the Himalayas, carpeted by the vibrant multihued greens of the valleys. 'The world has nothing to equal it,' murmured Gandhi.

The viceroy was eager that Gandhi attend the conference as a delegate, but the latter declined, saying that in a representative conference there was no room for an individual, however eminent. He offered to stay in Simla for the duration of the conference and agreed to give advice if required. Jinnah called Gandhi's absence from the conference as a 'withdrawal' and issued statements saying that 'Mr. Gandhi withdrawing from the conference has vitiated the atmosphere.' In an interview to Preston Grover, Gandhi answered, 'If Mr. Jinnah wants me there, he can take me there. Such a gesture on Mr. Jinnah's part would mean that he wants a settlement even in the teeth of differences and obstacles that face the conference.'

In his opening address to the delegates, Wavell sounded genuinely eager and honest. 'I said in my broadcast that on all sides there was something to forgive and forget.... You must accept my leadership for the present.... I will endeavour to guide the discussion of this conference in what I believe to be the best interest of the country.'

Commenting on the opening address, Gandhi said, 'It is a good and dignified expression that Lord Wavell has used. He thus acts in the conference as its leader and not as the agent of Whitehall.' The viceroy navigated the conference through predictable shallows and rapids of disagreements and conflicts. At one point, the Congress objected to having been classified as a Hindu party in the viceroy's address, and the viceroy

denied having called them so. Jinnah jumped into the fray branding the Congress as a Hindu party. There followed a sharp exchange between Jinnah, the viceroy and Congress members.

Viceroy Wavell: 'There is nothing in my proposals which characterises Congress as a communal body.'

Jinnah: 'We have met here as communities and Congress does not represent anybody but the Hindus.'

Viceroy Wavell: 'Congress represents its members.'

Dr. Khan Saheb: 'What does he mean? I am a Congressman. Am I a Hindu or a Muslim?'

Viceroy Wavell: 'Leave it at that. The Congress represents its members.'

India's history would have chartered a different course if the viceroy had been firm about his utterances. The hollowness of his opening statement was to be proven before the conference ended.

There was disagreement between the Congress and Gandhi on the understanding of the term 'parity between communities'. Gandhi insisted that it meant 'No community could ask for more representation than the other but was free to accept less if it chose. The Congress should accept the position that the non-scheduled Hindu would in no case exceed Muslims and break the parity by nominating the best Indians drawn from all the minority groups, including one representative each of Anglo-Indians, Englishmen, Parsis, Sikhs, Jews (if available), Indian Christians, scheduled castes and women, and irrespective of whether they were Congress members or not.' This would have left the Muslim League with a panel of three or more, including a nationalist Muslim, in a council of fourteen. By refusing to exercise the right of parity on behalf of the Hindus, they would cut across sectional complications and lay a solid and safe foundation for the independent India to be on a purely nationalist basis. If, on the other hand, the Congress was to accept the communal parity formula, it would inevitably give rise to a gladiatorial duel between the Hindus and Muslims in the Viceroy's Executive Council and bring into play the viceroy's veto. But they could render nugatory the parity part of the viceroy's proposal by voluntarily choosing sub-parity for the Hindus. With five caste Hindus pitted against five Muslims, the Muslim League could create a tie in the Cabinet with the help of the viceroy and the commander-in-chief. But with a Cabinet comprising patriotic, nationalist-minded minority group representatives with a maximum of three 'caste Hindu' members, there

would be no communal alignment in the Cabinet and the League would not be able to raise the bogey of 'Hindu majority rule'. The CWC was not convinced about Gandhi's strategy. The members of the committee individually agreed with the assessment. 'It appeals to me, Gandhiji is right,' remarked the ex-chief minister of a province to one of his colleagues. 'And you hope to be able to face the electorate after accepting sub-parity for the Hindus?' replied the latter. The chief minister stopped publicly agreeing with Gandhi's point of view after this.

The entry dated 29 June 1945 by Pyarelal Nayyar, says the following:

'Bapu explained his views on parity to Ravishankar Shukla, B.G. Kher, and Shrikrishna Sinha, ex-Chief Ministers of Central Province, Bombay and Bihar respectively, on the evening of the 25th, and later to Rajaji. He sent me to explain the same to Maulana Saheb and Rajaji again on the morning of the 26th. On the 26th afternoon the Maulana Saheb saw Bapu. Bapu made it very clear in the course of his talk that so far as he was concerned he could have nothing to do with this parity business or a Congress that was committed to it. The Maulana Saheb left giving an impression that in principle he wholeheartedly approved of Bapu's stand. But on the afternoon of the 28th, when the delegates returned from the conference, it was learnt that the conference had accepted all the five fundamental principles of the Wavell offer as put forth by the Viceroy, including parity.... It had been contended that the Wavell proposal leaves no freedom to renounce parity even if one of the parties so wishes. Bapu has, however, made it clear to all concerned that an imposed parity would make the offer stink in his nostrils and render the Viceregal proposal wholly unacceptable.

'It has again been agreed that whilst the Congress may insist on the principle of choosing best men, irrespective of caste, creed or party affiliations, and even give preference to minority group representatives (subject to the clause that they stand for independence and work for it) it cannot insist on sub-parity for the Hindus. That can be properly done by a purely Hindu organisation. Bapu's viewpoint, however, is that Congress, being pledged to act as a national organisation, cannot accept that position. Nor can the conference object to the Congress taking that stand in regard to the Hindus, since Congress claims to speak on the behalf of the Hindus, too, as a part of the Indian Nation, and the composition of the conference is of a political rather than communal character. The League is there as one of the dominant political parties in the Assembly. If it was intended that the

various groups should function on a communal basis, the *Hindu Mahasabha* should have been invited and the Congress left out'.

Reacting to the decision of the conference to continue with the parity formula Gandhi wrote to Wavell: 'This does not mean any change on my part. I am more than ever convinced that the non-scheduled Hindu members should have been less than the Muslims'. Jinnah again back-tracked and stalled the conference by dilly-dallying. He refused to react to the Congress suggestion that the League should accommodate two non-League Muslims in its quota the way the Congress was accommodating two non-Congressmen within its quota. The viceroy suggested that Jinnah and the Congress president meeting along with the leader of the European group, Richardson. Jinnah manoeuvred out of the meet by saying that since he was committed to the ongoing talks between him and the Congress leader and ex-premier of U.R, Govind Vallabh Pant, there was no need for him to meet the Congress president. Jinnah sabotaged the dialogue with Pant too. Jinnah was now determinedly working towards the goal of partition and Pakistan.

On the 29th, when the conference reconvened, the viceroy announced that, since none of the parties could come to an agreement, instead of wasting time the delegate parties could send him their suggested lists of members for the national government. He would add some names himself and after consultation with the concerned parties, arrive at a generally acceptable list. Jinnah was against this; he wanted the viceroy to guarantee that he would accept the Muslim League's list en bloc. The viceroy refused to give any such assurance; it was his sole prerogative to arrive at a final selection. But he assured all parties that he would give them ample opportunity to accept or reject the names suggested by him. Jinnah then wanted to know if the viceroy would continue with the selection process if one of the parties finally rejected it; the viceroy refused to give any commitment in advance. When finally the viceroy asked Jinnah if the League was going to submit a list, the latter again fell back on his stalling techniques, by pleading that, since he was at the conference in his individual capacity, he could not make a commitment on behalf of the party. If the viceroy were to submit his proposal in writing to the Working Committee of the Muslim League, they would give a definite reply. The viceroy agreed and the conference was adjourned for a fortnight.

All parties barring the Muslim League and European group submitted their lists. The Congress submitted a panel of fifteen names, attempting to

give proper representation to all the minority communities. The Congress list comprised:

Maulana Abul Kalam Azad (Congress Muslim)
Asaf Ali (Congress Muslim)
Pandit Jawaharlal Nehru (Congress Hindu)
Sardar Vallabhbhai Patel (Congress Hindu)
Dr. Rajendra Prasad (Congress Hindu)
M.A. Jinnah (Muslim League)
Nawab Mohammad Ismail Khan (Muslim League)
Nawabzada Liaquat Ali Khan (Muslim League)
Dr. Shyamaprasad Mukherji (Hindu Mahasabha)
Gaganvihari Mehta (Hindu)
Rajkumari Amrit Kaur (woman, Indian Christian)
Muniswami Pillay (scheduled class)
Radhanath Das (scheduled class)
Sir Ardeshir Dalai (Parsi)
A Sikh member, whose name they would submit later

Jinnah wrote to Wavell: 'With regard to your suggestion for submitting a panel of names ... the Working Committee [of the League] desires to point out that when a similar proposal was made by your Excellency's predecessor, Lord Linlithgow ... the Working Committee opposed it and, when its objections were brought to the notice of Lord Linlithgow, he dropped the proposal and suggested another alternative.'*

On 14 July, when the conference met for the final sitting, Wavell revealed that even without receiving a list from the Muslim League, he had formed a list of Executive Council Members which he was certain would be acceptable to the conference. But the Muslim names he had suggested were not acceptable to Jinnah. The viceroy, however, did not show his list to the Congress president even after the Congress asked for the list; no one else was shown the viceroy's list either. The viceroy did not place the list before the conference for consideration and debate. In his concluding remarks he said that the conference had failed and he was holding himself responsible for the failure. 'It grieves me to think,' Gandhi wrote to the viceroy, 'that the conference which began so happily and so hopefully should have ended in apparent failure—due exactly, as it would seem, to the same cause as

before. This time you have taken the blame on your own shoulders. But the world will think otherwise. India certainly does'. Probing into the cause of the failure he continued: 'I must not hide from you the suspicion, that the deeper cause is perhaps the reluctance of the official world to part with power, which the passing of virtual control into the hands of their erstwhile prisoners would have meant'.

The failure of the Simla Conference was a hard blow to the morale of the Indian masses, who had hoped for a new beginning. If the outcome of the conference depended solely on the acceptance of the viceroy's offer by the presidents of the Congress and the Muslim League, where was the need to call all the other delegates? Jinnah, in a statement, called Wavell's plan a 'snare' and 'a death warrant' for the Muslim League. He claimed that, even if all the Muslims in the government were to be from the Muslim League, they would still be in a minority in the Cabinet. The representatives of 'all the minorities', Jinnah said, would 'in actual practice, invariably ... vote ... against us' in the Government. Jinnah seemed to have forgotten his own oft repeated theory that the Muslim League was the champion and protector of *all* the minorities in India, and the Congress represented not even 'Hindus' but only 'caste Hindus'. Now he claimed: 'All other minorities, such as Scheduled Castes, Sikhs and the Christians have the same goal as the Congress.... Their goal and ideology is ... of a united India. Ethnically and culturally, they are very closely knitted to Hindu society.' This was classic Jinnah double-speak.

The net result of the conference was to introduce the formula of 'caste-Hindu-Muslim parity' into practical politics and to stereotype officially the principle of religious division on the eve of independence. The conference also marked the beginning of an essay—which became so prominent during the Cabinet Mission's negotiations later—in which the 'intentions' of the British statesmen were belied by the text of their declarations and what was repudiated in profession was pursued in practice through the device of the 'ambiguous middle'. Commenting on the intentions of Lord Wavell, Francis Sayer of the United Nations Relief and Rehabilitation Administration said in an interview with Gandhi, 'You will admit, that Wavell did make an honest attempt to break the deadlock.'

'An honest attempt should have ended honestly,' Gandhi replied.

Confirmation of the less-than-honest intentions of the British administration came in the form of a letter received by Nehru from London:

'It is now known that the Wavell offer was maintained in being as part of election necessities. Also, that the final termination of the talks by Wavell, without taking the obvious course of forming a Government without Jinnah, was dictated from here'.

CABINET COMMISSION

After the failure of the Simla Conference, India was in a continuous state of turmoil. The demand for self-determination and freedom was gaining momentum. The Congress cadres were restive; another showdown was eminent.

Gandhi took the brief lull after the Simla Conference to tend to the needs of his colleagues. Patel's health had been ruined during his incarceration; he was afflicted with a spastic colon. Doctors advised a major surgery, but the risks were too great. Gandhi suggested that Patel put himself under his care and allow him to nurse him back to health with nature cure. Thus the two of them checked into the Nature Cure Clinic run by Dr. Dinshaw Mehta in Urli Kanchan, a small village near Poona, in the third week of August 1945. They stayed there for the next three months. An incident that occurred while the two were at the clinic is worth narrating. The incident left an imprint on the mind of Gandhi's daughter-in-law Sushila, wife of Manilal, Gandhi's second son.

One day a young man carrying a large basket came to meet Gandhi at the clinic. 'I have brought fruits for Gandhiji,' he told Sushila. She asked him his name and said that, as Gandhi was busy, he would be unable to meet him. The young man looked restless and uneasy and refused to give his name. He kept the basket in the waiting room and slipped away. After sometime, Gandhi's grandnephew Kanu opened the basket, and found to his utter shock that it only contained used and tattered footwear. He reported it to Sushila. Gandhi was informed about this incident and, without batting an eyelid, he told Kanu, 'Go and sell them in the bazaar.' Kanu managed to sell the shoes to an old goods trader in the Poona bazaar and got four rupees for them, a handsome sum those days. Gandhi instructed Kanu to deposit the sum in the Harijan fund. The next evening, speaking after the prayers, Gandhi referred to the gift. 'I was presented with a basket full of old footwear by a friend yesterday. The footwear has been sold for four rupees and the same has been deposited in the Harijan fund. I would like to thank the anonymous friend for his kind gesture.'

The young man who had left the basket was present in the audience. He stood up and angrily demanded that the money be given back to him. 'Give me the money; you have no right to sell the footwear. I have not permitted you to donate the money to the Harijan fund. The money is mine,' he shouted. Gandhi explained that, once he had accepted the gift, it was his to do what he liked with. Patel was also present at the meeting, and everyone got a good look at the enraged young man. The hate-filled face of the young man, who had by now sharted shouting and abusing Gandhi, imprinted itself on many minds. The young man was then removed forcibly from the prayer meeting. After Gandhi's murder, when Nathuram Godse's photograph was published in the newspapers, Sushila immediately recognised him as the man who had presented the basket of footwear. Sushila narrated this incident to the late Chandrakant Bakshi, an eminent Gujarati writer, when he met her in Durban, South Africa.

The election results in England showed that there was an overwhelming majority in Britain in favour of terminating British rule in India. The Labour party swept the polls and formed the government. Lord Pethick-Lawrence, the new secretary of state for India, was an old friend of Gandhi. Congratulating him on his appointment, Gandhi wrote: 'If the India Office is to receive a decent burial and a nobler monument is to rise from its ashes, who can be fitter person than you for the work?', to which Lord Pethick-Lawrence replied: 'I greatly hope that our personal friendship, which has existed for so many years, may bear fruit in harmonious cooperation in achieving the lasting good of India and her people'.

The viceroy was invited to confer with the new Labour government in London in the last week of August, to review the Indian problem *de novo* and find a solution in consultation with the viceroy. At the same time, the long postponed elections to the Central and Provincial Legislatures were announced, to be held during winter. On 19 September 1945, after the viceroy's return from London, a statement was issued in India, announcing the intention of both HMG and the viceroy, immediately after the elections to the Central Assembly and in the provinces, to (1) invite the resumption of ministerial responsibility in the provinces, (2) convene a constitution-making body as soon possible, and (3) reconstitute the viceroy's Executive Council with the support of the main Indian parties.

Gandhi set out on a tour of Bengal, which was then under the rule of its governor the Australian, Richard Gavin Casey. He had sent an invitation to

Gandhi to visit Bengal. The Midnapore district of Bengal had been devastated by a cyclone, floods, a man-made food famine, and to top it all, government repression. Casey agreed to allow Gandhi to visit the devastated district and so, while the country was busy preparing to face elections, Gandhi left for Bengal on 30 November 1945.

While recording his impressions about Gandhi, Casey wrote: Amongst saints he is a statesman, and among statesmen he is a saint. Mr. Gandhi's greatest asset is his warm humanity.... He can make his point publicly with an opponent and yet leave his opponent without any feeling of bitterness'. The following week Gandhi began a tour of the devastated district of Midnapore. The district had been devastated by a cyclone and a tidal flood of unprecedented fury that eclipsed anything India had witnessed during the freedom movement in the past two decades. The once lush rice fields of the districts were littered with the corpses of men and cattle. Of the casualties, many were believed to have been buried indiscriminately under the very ground where Gandhi held a prayer meeting. There was no sign of the tragedy above the ground. 'God mercifully hides under a mantle of greenery the shame of man's tragedy on earth,' observed Gandhi during his post-prayer address.

The viceroy kept HMG in England briefed about the situation in India. His reports were becoming grimmer with every passing month. The situation in India was rapidly deteriorating. Sustaining British rule in India was becoming more difficult and less justifiable with every passing month. The colonial government was becoming increasingly unpopular with almost all sections of Indians. A showdown with the 'caste Hindu Congress' was looming large. In a despatch sent to Whitehall in December 1945, the viceroy pointed out that if the Congress was suppressed, it would create a vacuum as no other organisation could replace it. After the elections the Congress was sure to present its demand in a more extreme form if some action to solve the deadlock was not taken in the meantime, and it would become very difficult to resist it then. The Congress might even resort to 'direct action' to enforce its demand, and in that eventuality the government would find itself without any supporter—not even the princes. The delirious enthusiasm with which the released Congress leaders were greeted was a clear indication that the spirit of 'do or die' had taken root.

The armed forces were also not left untouched by the anger and nationalistic fervour. There were outbreaks of mutiny in Jubbalpore and

some other cantonments. A similar outbreak in Poona was only averted due to the advice against such a move given by Gandhi to the representatives of the Indian troops, who had secretly met him. The Indian National Army under-trials, Indian soldiers who had fought the British in Burma under the leadership of Netaji Subhash Chandra Bose, were lionised all over India. In February 1946 Calcutta had erupted for three days, during which period the police had resorted to firing on student-led processions fourteen times. These were all portents, and their significance could not be ignored. The gulf between the representative of the British power in India, and the people over whom they enforced their writ, was never greater. Distrust of British intentions was deep, and the impatience for independence, intense. The viceroy feared that soon, the only option left to the colonial occupiers would be complete and voluntary capitulation, or a virtual reconquest of India and an indefinite military occupation, but public opinion back home in the England of 1946 was not prepared to tolerate these alternatives. The British were left with only one option and they had to save face as well as exact revenge for what Gandhi's non-violent liberation movement had done to the empire.

The results of the elections to the provinces and the Central Assembly came in. The Muslim League—due to its headstart over the Congress, which was severely repressed between 1942-45, and the patronage it received from the British administration—predictably managed to win almost all the Muslim seats in the Central Assembly as well as all the provincial legislatures—except the NWFP where a Congress ministry led by the Khan brothers swept the polls, not only capturing the Assembly but defeating the League on majority of the Muslim seats too. The Congress formed ministries in eight of the eleven provinces and in Punjab it formed a coalition with the Unionist Party, which cut across communal alignments. The Muslim League formed ministries in Bengal and Sind. In Sind it had a precarious majority and was able to form a ministry and cling to power only due to the benevolence of the British governor, Sir Francis Mudie.

The time had come for the British to do the right thing. The promises made by the viceroy on behalf of HMG in September 1945 had to be honoured. The viceroy's council was to be formed with the support of the main political parties in India and a constitution-making body had to be convened; all this was part of the promise given to the people of India. The British government decided not to leave the responsibility of negotiating

with the Indian parties solely in the hands of the viceroy. On 19 February 1946, the government announced in the British Parliament that a mission comprising three Cabinet ministers would shortly be sent to India. There, in association with the viceroy, they would proceed to 'give effect to the programme outlined in the Viceregal announcement of September, 1945'. Announcing this, the Labour Party prime minister, Clement Attlee, made some very pertinent remarks in the House of Commons, on 15 March 1946:

'India must choose what will be her future constitution. I hope that the Indian people may elect to remain within the British Commonwealth.... But if she does so elect, it must be of her own free will.... If, on the other hand, she elects for independence, in our view she has a right to do so.... I am well aware, when I speak of India, that I speak of a country containing a congeries of races, religions and languages.... We are very mindful of the rights of minorities, and minorities should be able to live free from fear. On the other hand, we cannot allow a minority to place a veto on the advance of the majority.... There is the problem of the Indian States.... I do not believe for a moment that the Indian Princes would desire to be a bar to the forward march of India. But, as in the case of any other problems, this is a matter that Indians will settle themselves'. For the first time the three principal hurdles that had tripped up the process of settling the Indian question were removed: the veto of the minority on political advance, the obligation towards the princes, and the denial of the right to unqualified independence.

But other hurdles 'arising out of past circumstances' still threatened the process. India was to pay a terrible price for these 'past circumstances'. Gandhi, observing the process, was a worried man. It was the hour of the country's destiny. Would the India of his dreams acquit itself in a manner worthy of its glorious past? 'The British Cabinet Delegation will soon be in our midst,' he declared, 'to suspect their bona fides in advance would be a variety of weakness. As a brave people, it is our duty to take at its face value the declaration of the British ministers that they are coming to restore to India what is her due. If a debtor came to your house in contrition to repay his debt, would it not be your duty to welcome him? Would it not be unmanly to treat him with insult and humiliation in remembrance of an injustice?'

In March 1946, while Gandhi was staying at the Nature Cure Centre, he received a personal invitation from the British Cabinet Delegation to meet

them in Delhi in the first week of April, to discuss with them how the British could most expeditiously 'Quit India'. The special messenger bearing the invitation from Delhi, Sudhir Ghosh, almost did not make it to Urli Kanchan. The car sent to take him to the airport was delayed and so he missed the Royal Air Force flight scheduled to take him to Bombay and then on to Poona. Half an hour after take off from Delhi, the plane crashed, killing everyone on board.

Gandhi accepted the invitation and left for New Delhi. Reading Road, New Delhi, is the address of the magnificent Birla Mandir. Just a stone's throw away from this magnificent edifice of red stone and marble is a humble temple to Valmiki, author of the epic *Ramayana* and the patron saint of the Valmiki community of north India. Members of the Valmiki community predominantly worked as sweepers. A compound wall separated the temple from the municipal sweepers' shanty colony, popularly known as Harijan Colony. On his trip to New Delhi to confer with the Cabinet Mission, Gandhi camped in a two-room tenement next to the Valmiki temple. For the next few months this became a hub of activity. The CWC regularly met here. Pandit Nehru, Sardar Patel, Maulana Azad, Jayprakash Narayan and Sarojini Naidu became daily visitors; the bureaucracy, foreign guests, and world press corps all made a beeline for the humble abode next to the temple. Anybody who had anything to do with India eventually ended up at the humble doors of the 'half-naked fakir' at his Harijan Colony camp.

In the summer of 1946, the obscure little colony rivalled the Viceregal palace in importance. It was here that the final chapter of the dramatic last days of the British Empire were written. Many meetings with the Cabinet Mission were held here, which resulted in the end of the 150-year-old British Raj, the birth of independent India and the tragedy of Partition.

The Harijan Colony was situated around a playground, where Gandhi held his evening prayers. A band of militant Hindu youth also used the ground for physical training and to practice with weapons and firearms. They ended their daily preparation with a salute to their version of a Mother India, who was intolerant of the 'paradharmi', or people of other religions and faiths, i.e. Muslims. They were members of the RSS, a replica of a creed of fanatic Muslim religious zealots— the Muslim National Guard.

The Cabinet Mission comprised three members of the British Parliament —Lord Pethick-Lawrence, Sir Stafford Cripps and Albert V Alexander.

Gandhi admired Pethick-Lawrence. Cripps was often referred to as the 'Occidental Gandhi'. His austere simplicity, vegetarianism and faith in the healing power of spirit endeared him to Gandhi who was delighted to find a 'fellow crank and faddist'. The Cabinet Mission's negotiations were held against a backdrop of communal trouble. The Muslim League was livid that the British prime minister had threatened to take away its power of veto. Jinnah denounced this attempt to 'bypass the League' as a 'flagrant breach of faith'. True to its past, communal fires were lit in many places, stabbings in communally sensitive areas were resorted to all over the country. The involvement of the Muslim League was evident.

Meanwhile, the Indian National Army prisoners were being held in Red Fort and their court martial was in progress. The attention of the nation was focused on them. The British had tried to keep the whereabouts of the INA detainees a secret, but Patel had got information about them and brought it to Gandhi's notice. Some of the patriots had already been court-martialled and shot. As soon as this was reported to Gandhi, he wrote to Lord Wavell: 'This I write in fear and trembling, lest I may be overstepping my limit. I am watching the progress of the trial of the members of the corps raised by or under Shri Subhash Babu. Though I can have nothing in common with any defence by force of arms, I am never blind to the valour and patriotism often displayed by persons in arms.... India adores these men who are on trial. No doubt the Government have overwhelming might on their side. But it will be a misuse of that power if it is used in the teeth of universal Indian opposition. It is not for me to say what should be done except that what is being done is not the way....'

Then Gandhi met General Auchinleck, comander-in-chief of India. He expressed his pleasure by the reassuring reply given by the general. Gandhi championed the cause of the INA under-trials and left no stone unturned in his effort to save them, although he did not endorse their philosophies. Nehru, who had often expressed doubts about the efficacy of non-violence, was now convinced that India would not achieve independence by resorting to violence or with the help of another nation. The CWC recorded its opinion that 'Whilst it is right and proper for the Congress to defend the members of the INA now undergoing trial and to aid its sufferers, Congressmen must not forget that this support and sympathy do not mean that the Congress has in any way deviated from its policy of attaining Swaraj by peaceful and legitimate means'. Gandhi, accompanied by Patel,

visited the INA detainees once in the Kabul Lines and once at Red Fort. At Red Fort the prisoners told them how, in the INA, they had totally obliterated the barriers of religion and caste and Hindus and Muslims ate in the same mess. However, as prisoners of war, their British jailors had resorted to segregation. They were served 'Hindu tea' and 'Muslim tea' separately by the camp authorities. This was a prevalent practice in the Indian Armed Forces in British India.

Gandhi told them that they should overcome this by, 'Mixing the two together half and half and then sharing!'

'That is exactly what we are doing,' they replied.

General Mohan Singh, one of the founders of the INA, preferred separate quarters in the detention camp due to the cracks that were dividing the INA now, after Subhash Chandra Bose's death. Gandhi visited him next and then went to the field hospital where the injured prisoners of war were confined. He met Major-General Chatterjee, Major-General Loganathan and Colonel Habib-ur Rehman here. Until Gandhi met the INA prisoners he had refused to believe the reports of Bose's death in a plane crash. Colonel Habib-ur Rehman, who was with Netaji on the plane, gave an eye-witness account of the crash. He told Gandhi, 'Netaji had received extensive burns on the hands and other parts of the body. But unmindful of them he asked me how I was. I told him I felt all right, and hoped to pull through. He told me that he did not expect to survive and gave his last message: "I am going, but tell my countrymen and all concerned, the fight for Indian Independence must continue till the goal is attained." The crash occurred at 9.30 am. At half past three in the afternoon he breathed his last, retaining consciousness almost till the end. Not a groan escaped his lips in spite of the agony.' During his prayer meeting the next day, Gandhi announced that, contrary to his previous belief, he was now convinced that Netaji Subhash Chandra Bose was dead.

Earlier, on 2 April, during a meeting with Pethick-Lawrence, Gandhi had suggested acts of confidence building. One was the release of all political prisoners, including those who were arrested in cases of sabotage in the pursuit of freedom: 'They could not be a danger to the state now that the pursuit of freedom had become a common cause'. Gandhi's recommendation was gradually implemented. The socialist leaders Jayprakash Narayan and Dr. Ram Manohar Lohiya were released on 12 April. The Indian National Army under-trials were released two days later.

The members of the British Cabinet Mission arrived at Karachi Airport on 23 March 1946 and reached Delhi the following day. From the 1st to the 17th of April, they met various 'representative Indians', meeting 472 leaders in the course of 182 sittings in an effort 'to arrive at the greatest common measure of agreement' among the various parties. They abandoned British protocol and established personal contacts with the Indian leaders. After the first week, the expectations of the people of India began to rise. They saw a change in the attitude of the British and thought that a national government would soon be formed at the Centre. They thought that the changed attitude and method of interaction used by the Cabinet Mission and the statement of Prime Minister Clement Attlee in Parliament showed a new conviction and sincerity on the part of the British. Woodrow Wyatt, a staff member of the Cabinet delegation, met Gandhi in the second week of April. 'Do you think we are getting off your back?' he asked.

'I feel that you will. But you must have the strength.'

Wyatt referred to the hurdles created by the League's demand for Pakistan. 'What if we imposed what we considered to be a just solution and went?'

'All would be upset.'

'So it must be left to India's decision?'

'Yes, leave it to the Congress and the League. Thanks to Jinnah's genius and British cooperation, he has built up a powerful organisation comprehending not all but the major part of the Muslims. I will advise you to try him and if you feel he cannot deliver the goods, take the Congress into your confidence.... But in any case the British occupation must end forthwith.'

'And what happens after the British leave?'

'Probably there will be arbitration.... But there might be a bloodbath. It will be settled in two days by non-violence if I can persuade India to go my way, or the ordeal may last longer. Even so, it would not be worse than what it is under the British Rule....'

Talking to Sir Gopalaswamy Ayyangar, Sir Cripps commented, 'Where agreement has to be arrived at, it may be necessary for the party even with the strongest case agreeing to accept something less than what it may rightly be considered entitled to in order to avoid a possible decision against them.'

There was an opinion gathering strength amongst some influential Muslim supporters of the League that Jinnah's obstinacy on Pakistan was harming the cause of the Muslims. Sir Cripps agreed that Jinnah's Pakistan was an 'impossible idea, even the League had realised it. When I find a person getting louder and more violent in his denunciation of his opponents, I get the feeling ... that he is beginning to recognise that the extreme case for which he stands is becoming desperate.'

On 17 April the Cabinet Mission took a seven-day break and left for Kashmir to review the result of the interviews and informal talks with the leaders. They returned on 24 April; on the 27th, Pethick-Lawrence wrote to the presidents of the Congress and Muslim League suggesting that they make 'one further attempt to obtain agreement'. They suggested certain fundamental principles for agreement: there should be a Union government dealing with foreign affairs, defence and communications; there would be two groups of provinces, one of predominantly Hindu provinces and the other of Muslim provinces. These groups would deal with all other subjects which the provinces desired; the provincial governments would deal with all other subjects and would have all the residuary sovereign rights. If the League and Congress were prepared to enter into negotiations on this basis, Pethick-Lawrence went on to suggest in his letter, arrangements would be made for them to meet in a conference together with the Cabinet Mission. They suggested Simla as the probable venue, and asked the presidents of both the parties to nominate four representatives who would negotiate on their behalf.

The Congress had expressed its opposition to the formation of groups on communal lines, with separate legislatures and executive machinery for each group. It also objected to the compulsion for a province to join a particular grouping. The NWFP was ruled by a Congress government headed by the Khan brothers. Under the Cabinet Mission's scheme, the NWFP would have to join the separate group with a Muslim League majority in the other provinces. Even in the eastern parts of the country Assam, a non-Muslim province, found itself to be in a situation where it would have to join a Muslim province group since its neighbouring provinces of East and West Bengal were ruled by the Muslim League and they would opt for a separate grouping. 'In any event,' wrote the Congress president in response to Pethick-Lawrence's letter, 'it would be wholly wrong to compel a province to function against its own wish.' The Congress

wanted the formation of groups if the provinces so desired to be left for the Constituent Assembly to decide.

When the Cabinet Mission explained that acceptance of the invitation to the proposed conference would not imply preliminary acceptance or approval of the terms suggested, the Congress president accepted the invitation to attend the conference. The Muslim League agreed to participate without 'commitment or prejudice' to its position as set forth in its Lahore Resolution of 1940 on Pakistan, and confirmed its participation at the Muslim League Legislators' Convention on 9 April 1946. On the afternoon of 28 April, Gandhi received a message from the Cabinet Mission that Pethick-Lawrence and Cripps would like to meet him urgently either at Harijan Colony or in the gardens of the Viceroy's House. They preferred the latter since they wanted to keep the meeting private. Since the arrival of the Cabinet Mission, correspondents from every major newspaper and press service from around the world had descended on New Delhi and were reporting a minute by minute account of the mission's work and its interactions with Indian political leaders and parties. The press hounded the members of the Cabinet Mission and Gandhi, in particular. Gandhi agreed to go to the Viceroy's House that day.

Gandhi, Pethick-Lawrence and Cripps sat talking by the circular pool. As dusk turned to darkness it was revealed to Gandhi that all was not well within the Congress ranks. The Cabinet Mission delegation had received a letter from a senior Congress leader who had written it without the knowledge of Gandhi, the Congress president or the CWC. To Gandhi, the contents of the letter did not matter as much as its significance: a breach had been revealed in the Congress ranks and it foretold of further disintegration. On his return, a very disturbed Gandhi mentioned this incident to two of his colleagues, one of whom was a member of the CWC. They were unwilling to believe it and thought he had misunderstood. Gandhi was emphatic: 'I am neither deaf nor so stupid as not to be able to hear and correctly report a simple thing like that'. The next day, Cripps met Gandhi and brought along the letter, As we were talking to you last evening,' he said, 'you seemed to be unaware of this. So we thought we had better straighten out this matter with you.' The two Congress leaders who had doubted Gandhi the previous evening were present and were shown the letter. It was their turn to be shocked. Who wrote the letter and what its contents were is not known.

Maulana Abul Kalam Azad, Congress president, had nominated apart from himself, Nehru, Patel and Khan Abdul Ghaffar Khan to represent the Congress during the second Simla Conference. The Cabinet Mission and the CWC requested Gandhi to be present during the conference; he arrived in Simla on 2 May 1946. The conference went on from 5-12 May. On the third day, after taking into consideration the deliberations of the first two days, the Cabinet Mission put forth some further 'Suggested Points for Agreement'. The original list of Union subjects was expanded to accommodate 'Fundamental Rights', and it was proposed that the Union government should have the necessary powers to acquire finances which would enable it to implement the subjects. The League had recommended that the Constituent Assembly should be divided into three sections, one representing the Hindu majority provinces, the second representing the Muslim majority provinces and the third representing the princely states, the rajas of British India. The League suggested that the first two would meet separately and decide provincial constitutions for their groups and, if they wished, group constitutions. To counter-balance the Congress objection to the compulsory grouping of provinces in the section, the Cabinet Mission proposed that a province should have the freedom to opt out of the original group and go to another group or remain out of any group by a majority of the votes of its representatives, if the provincial or group constitution was not acceptable to it. The three sections would then meet to frame the Union constitution.

Under the Union constitution, there would thus be three sub-federations: Muslim majority provinces; Hindu majority provinces; and the group of princely states. The Muslim majority provinces would have a parity of representation in the Union legislature as well as the Union government with the Hindu majority provinces, irrespective of whether the provinces in question formed themselves into groups or not. Further, to compensate the League for the possible loss, through opting out, of the NWFP and Assam from the Muslim majority group, it was proposed that there should be an additional safeguard that no measure affecting a communal issue in the Union constitution would be passed unless the majority of both major communities voted in its favour.

The Congress was prepared to accept the formation of groups provided it was entirely optional. However, it held that this would be for the representatives of the provinces to decide after the Constituent Assembly

had framed the constitution for the All India Federal Union. The Muslim League demanded that there should be a separate constitution-making body for the six Muslim provinces: Punjab, NWFP, Baluchistan, Sind, Bengal and Assam. Although Assam was a Hindu majority province, the Muslim League claimed it as a part of the Muslim grouping. After the constitution of the Pakistan federal government and the provinces were framed, the constitution-making bodies of the two groups would deal with the three subjects: foreign affairs, defence and, as they termed it, 'communications necessary for defence'.

The Congress and the Muslim League differed on the issue of funds for the Union government. The Congress wanted the Union government to raise the necessary finance for the discharge of its functions by taxation. The Muslim League insisted that the federal union should in no event have the power to raise revenues in its own right but only by contribution. The League also wanted that no decision—legislative, executive or administrative—should be taken by the Union. On 'controversial matters' a decision should be taken by a vote in its favour of three-fourths. The Muslim League was adamant on achieving Pakistan and if they failed, since there were dissenting voices amongst their ranks too, then they would emasculate the Union government at birth.

The Cabinet Mission had also begun to sink in the quagmire of British colonial policies and practices and was unwilling to take bold decisions. Gandhi's appeal to Sir Cripps much earlier hoping that, 'This time there is determination to do the right thing in terms of India,' had failed to break through the diplomatic correctitude and the so-called British responsibilities towards all their Indian subjects. The British refused to see India as a whole and insisted that there were several Indias, all with legitimate demands of independence and democratic safeguards.

While the Cabinet Mission continuously refused to accept partition or division and termed Jinnah's vision of Pakistan as an unrealisable 'pipe dream', they continued to encourage the separatists Muslim League. The Congress leaders, in their haste to get independence and power, kept slipping into the trap that had been so efficiently laid for them by the League and their friends in the colonial administration, from where the only escape was to accept the division of the country.

As early as 6 May, Maulana Azad expressed his concerns to Lord Pethick-Lawrence in a letter, over the confusion and vagueness of the talks:

'I confess to feeling somewhat mystified and disturbed at the vagueness of our talks and some assumptions underlying them. There can be no independence so long as there is a foreign army on Indian soil. We stand for the Independence of the whole of India now and not in the distant or near future. Other matters are subsidiary to this and can be fitly discussed and decided by the Constituent Assembly.... The Constituent Assembly is not going to decide the question of independence; that question must be and, we take it, has been decided now'.

As was fated, the conference was a failure: what was acceptable to the Congress was rejected by the Muslim League, and the demands of the Muslim League were acceptable to none. Finally, on 12 May, it was announced that the conference had failed to bring about an agreement between the Congress and the League. Admitting failure, the members of the Cabinet Mission returned to Delhi.

On 16 May, the Cabinet Mission, with the 'full approval of His Majesty's Government in the United Kingdom', published their recommendations for the speedy implementation of a new constitution. Their plan envisaged two stages: the long-term plan for the setting up of a constitution-making body and the short-term plan of the formation of an 'interim government having the support of the major political parties'. On the question of the partition of India, the Cabinet Mission's recommendations were quite emphatic—they were firmly averse to it. Apart from this the recommendations were very ambiguous and convoluted. Many were at total divergence with previous clauses. In all, it was a most confusing document, trying desperately to please all. To the Congress it offered a common Centre and the freedom of choice to the provinces to form groups or not. To the Muslim League it offered the prospect of 'Muslim zones' to be formed in the north-west and north-east of India by making it obligatory for the representatives of the provinces to sit in sections to settle the provincial constitutions. To the princes it offered release from paramountcy which was not to be transferred to the successor government. To the Sikhs it held out the prospect of preserving intact the integrity of their homeland.

In paragraph 15 clause 5, the Cabinet Mission's report recommended that: 'Provinces should be free to form groups, executives and legislatures, and each group could determine the Provincial subjects to be taken together'. This was contradicted in paragraph 19 sub-clauses (iv) and (v), where it practically forced Assam, a non-Muslim province, to join the

Muslim-dominated Group C; and the North-west Frontier Province, where a Congress Ministry was in power, to join the Muslim League-dominated Group B against the will of its chosen representatives. It said: 'Thereafter the Provincial representatives will divide up the three sections.... These sections shall proceed to settle the Provincial constitution ... and shall decide whether any group constitution shall be set up for those Provinces.' The Sections B and C were so demarcated that the Muslim League-dominated Punjab would be able to dominate Section B and, similarly, Bengal would dominate Section C. Both these provinces had a Muslim majority and a large number of representatives in the legislature; it was obvious that they would steamroll any objection raised by the other provincial representatives in their group. The Hindu majority areas of Punjab and the non-separatist Congress-dominated NWFP in Group B and Assam in Group C, the dominating provinces, could similarly very easily nullify the efforts of the dissenting provinces from opting out of the grouping by framing a constitution and establishing rules for elections in a suitable fashion.

Gandhi studied the document in detail and gave his interpretations in an article published in *Harijan* dated 26 May 1946: 'After four days of searching examination of the State Paper issued by the Cabinet Mission and the viceroy on behalf of the British government my conviction abides that it is the best document the British government could have produced in the circumstances. My compliments, however, does not mean that what is best from the British standpoint is also best or even good from the Indian. Their best may possibly be harmful.... It is an appeal and an advice. It has no compulsion in it. Thus the Provincial assemblies may or may not elect the delegates. The delegates, having been elected, may or may not join the Constituent Assembly. The Assembly having met, may lay down procedure different from the one laid down in the statement. Whatever is binding on any person or party arises out of the necessity of the situation.

'Therefore, when Lord Pethick-Lawrence, secretary of state for India, said to a press correspondent, "If they do come together on that basis, it will mean that they will have accepted that basis, but they can still change it, if by a majority of each party they desire to do so", he was right in the sense that those who become delegates, well knowing the contents of the statement were expected by the authors to abide by the basis, unless it were duly altered by the major parties.... This is perfect so far but what about the

Units? Are the Sikhs, for whom the Punjab is the only home in India, to consider themselves against their will, as part of a Section which takes in Sind, Baluchistan and the Frontier Province? In my opinion, the voluntary character of the Statement demands that the liberty of the individual Unit should be unimpaired. Any member or Section is free to join it. The freedom to opt out is an additional safeguard. It can never be a substitute for the freedom retained in Para 15(5)'.

The three main parties involved in the Cabinet Mission's deliberations ended up interpreting the recommendations as was convenient and beneficial to them and their necessities. The Congress interpreted it differently, as did the Muslim League, but the Cabinet Mission delegation had its own interpretation and all were at variance. The only way out was to refer the recommendation to a judicial tribunal.

Both the Congress and Muslim League refused to accept or reject the recommendations without first studying them. They wanted to test out the recommendations before deciding their course of action. Gandhi insisted that as long as British troops remained on Indian soil, freedom would remain a farce; he wanted immediate withdrawal of the British Armed Forces from Indian soil. To the Cabinet delegation he said, '....Finally, it can in no way be contended that in the face of the troops there would be natural behaviour in the Constituent Assembly'.

The recommendation of the mission that paramountcy, enjoyed by the British, over the Indian princely states would 'lapse' and not be transferred to the Government of India, was another bone of contention. There were over six hundred princely states spread over almost 7,12,000 square miles or one-third of the territory of India. Some were hereditary princedoms and some were British creations as rewards for their ruler's services to the British during the first war for freedom in 1857. What the Cabinet Mission's recommendations would mean was that these princes would become heads of independent fiefs with the end of paramountcy, and the moth-eaten Indian nation that would emerge would be an unmanageable mess. Gandhi suggested to the Cabinet Mission that, if paramountcy was to cease, then it should cease immediately even while the Constituent Assembly was hammering out a constitution and independence was at work 'in fact though not in law': 'Sir Stafford saw danger in acting upon my suggestion. I held the opposite view. Acceptance on my proposal would vivify the people of the States as if by a stroke of the pen. And the Interim Government would

be a boon to the Princes who, though the creation of the Paramount Power and dependent upon it for the continuance of their existence, still chafed under its heavy hand. The immediate end of Paramountcy would test the sincerity of the Princes and the Paramount Power'.

The Congress contended that if the Constituent Assembly was not to be composed of disparate elements, the states' representatives who came into the Constituent Assembly must do so in the same way as the representatives of the provinces, in a democratic manner. This would give the people of the princely states a say in the selection of their representatives and further democracy. Finally, there was the question of the powers of the national government at the Centre, and of the Constituent Assembly. If the Constituent Assembly was to function as a sovereign body, with powers to decide on any matter before it and give effect to its decisions, it must be a provisional national government in the true sense of the term. This was subject to the limitation that the Congress had voluntarily accepted, namely, that in regards to communal issues, decisions would be by a majority of the two major communities.

The response of the Cabinet Commission to all these points was an emphatic 'No' to the withdrawal of British troops and an equally categorical refusal to relinquish paramountcy. As regards the participation of Europeans, the only assurance they could give was that they would use their good offices to try to influence the Europeans not to exercise the right conferred on them under the 16 May Plan. But finally, it would be upto what the Europeans decided. With regards to the powers of the Constituent Assembly, the Cabinet Delegation assured that, once the Constituent Assembly was formed, there was no intention to 'interfere with its direction or questioning its decisions'. Lastly, while the Cabinet Mission was not prepared to accept the proposition of having an interim government legally responsible to the Central Legislature, they gave the assurance that 'His Majesty's Government would recognise the effect of ... changes' that were contemplated to be introduced at the Centre and would 'attach the fullest weight to them, and will give to the Indian Government the greatest possible freedom in the exercise of the day-to-day administration of India'.

As Gandhi was wont to do, he would jot down the gist of the discussions he had with members of the Cabinet Mission and send them for verification to the concerned member. In response to the transcripts of their discussions on 18 and 19 May, Pethick-Lawrence responded that there were some

discrepancies between what he had inferred from their discussions and what was noted. He set out points on which they differed. Cripps categorically denied that he had admitted that paramountcy had in the past been used to protect the princes against their people in the shape of suppressing their liberty and progress: 'You are misinterpreting what Sir Stafford said. He stated that he knew the view was held that in the past Paramountcy had been used in certain cases to support the Princes against their people....' On another point of difference Pethick-Lawrence wrote: 'The delegation wished me, in particular, to make it plain that independence must follow and not precede the coming into operation of the new constitution'. Gandhi responded the following day saying: 'Whilst I thank you for your prompt reply ... you will let me say that it is unfortunate. It has the old official flavour. Has the cry "independence in fact" no foundation? I adhere to all that I have said in my letter.... Your letter is in the best imperialistic style which I thought had gone for ever. This is from an old friend'.

On 28 May the members of the CWC dispersed. Gandhi accompanied some of the members to Mussoorie for a short rest and respite from the scorching Delhi summer. There was nothing to do since the Muslim League was going to make known its response to the 16 May Plan only after the meeting of the Council of the Muslim League on 6 June. On the 7th, Gandhi returned to Delhi. The car carrying him covered the 175 miles almost entirely in the night. The car was stopped on the Yamuna Bridge as it entered Delhi. The sentry on duty peered through the window and asked the Sikh driver to identify himself and his passengers. The driver replied, 'I carry the King of India's poor'; the sentry stood in attention and let the car pass.

The CWC met on 8 June. It later came to light that Cripps had met Jinnah and the latter was agreeable to the formation of a coalition interim government consisting of the fittest persons without any reference to parity. During the course of an interview, the viceroy suggested to Gandhi that representatives of the Congress and the League should meet and jointly finalise a list of people to be nominated to the coalition government. Welcoming the viceroy's suggestion, Gandhi replied that the nominees should be persons of 'proven ability and incorruptibility'; there should be no talk of parity, they should agree to be closeted in a room, and no one should leave till an agreement was reached. In the absence of an agreement in spite of all the efforts, the viceroy should examine the merits of the respective

lists submitted by both the parties and accept one or the other, 'not an amalgam' of the two. Just as people began to feel that the new formula would succeed, Jinnah again refused to sit at a negotiating table with the Congress president Maulana Abul Kalam Azad, a non-League Muslim. According to Jinnah, Hindus were the enemies, but non-League Muslims were traitors and he would not 'treat with traitors'! The Congress refused to backtrack on this matter. Fearing another breakdown in talks the viceroy suggested that the Maulana, as the Congress president, nominate Nehru to represent him at the proposed meeting. Gandhi advised the Congress to accept this proposal for the sake of a settlement, but with a clear understanding that at the meeting Nehru would act as the Maulana's mouthpiece.

Nehru reached the viceroy's office for the meeting at noon on 12 June. Jinnah did not turn up for the meeting. Nehru showed the viceroy the Congress's list of proposed nominees for the interim government. Now it was Wavell's turn to change colours. At the meeting he raised the issue of Hindu-Muslim parity. Again Nehru left without any decision being made. The next day Gandhi wrote to Wavell: 'You are a very great soldier, a daring soldier. Dare to do the right. You must make your choice of one horse or the other. So far as I can see, you will never succeed in riding two at the same time. Choose the names submitted either by the Congress or the League. For God's sake do not make an incompatible mixture and in trying to do so produce a fearful explosion'. In a personal letter addressed to Cripps, Gandhi wrote: 'You are handling the most difficult task of your life as I see it. The Mission is playing with fire. If you have the courage you will do what I suggested from the very beginning ... you will not be able to have your cake and eat it too. You will have to choose between the two—the Muslim League and the Congress, both your creations.... Coquetting now with the Congress, now with the League and again with the Congress, wearing yourself away, will not do. Either you swear by what is right or by what the exigencies of the British policy may dictate. In either case bravery is required. Only stick to the programme. Stick to your dates even though heavens may fall. Leave by the 16th [June 1948] whether you allow the Congress to form a coalition or the League. If you think that the accumulated British wisdom must know better than these two creations of yours I have nothing to add. But I have fancied that you are not cast in that mould'. The letter ended with the advice: 'Bury yourself in private life,

unless the brave British announcement made is fulfilled to the Indian hope. A word to the wise'.

Sir Stafford Cripps replied: 'I can assure you, neither I nor my colleagues lack courage to act but we want to temper our courage with prudence.' Referring to the advice given by Gandhi, he continued: 'Certainly I shall never put my desire to return home and rest before my determination to leave nothing undone which may help a solution of the difficult problems here.... I shall have great hope that before we leave India, we may have helped towards the settlement of the problem.'

It was now apparent that the Cabinet Mission was also going the way of the Viceroy's Conference of 1945. Although they kept talking of being fair to both sides, their inclination towards the Muslim League was clearly showing. The partisan hand of the British Civil Service was playing its role behind the scene. Gandhi was filled with forebodings of a catastrophe. Had he not reiterated time and again that till the third party was present, true Hindu-Muslim unity could not be expected? 'The slaves and their masters are both in an unnatural state,' he remarked during a prayer meeting speech, 'they cannot think and act naturally.' Speaking to a friend he commented, 'A nameless fear has seized me ... as a result I feel paralysed. But I will not corrupt your mind by communicating my unsupported suspicions to you.' To him the Cabinet Mission's efforts were like that of a mother who sees her child dying. 'Still she does not give up hope. She keeps on trying the prescriptions of doctors, physicians and quacks—now of the one, then of the other, then of a third till the last moment.' Similarly, the Mission did not wish to give up.

The demand for parity was also very complicated. The British kept talking about establishing a democratic order for independent India, but their stand on the princely states as well as their insistence on parity was at variance to the democratic principle. The Muslims constituted a little over one-fourth of the population of India, thus according to democratic principle they could claim less then one-third of the total representation. But the Muslim League cleverly argued that the Muslims constituted a nation apart from the Hindu nation, a theory endorsed by Savarkar. Thus they claimed that nations had to be on an equal footing and so the Muslim minority had to have parity with the Hindu majority. The British colonial administration, the representative of the Crown and the viceroy were partial towards this claim of their wartime allies, the League. Initially during the

Viceroy's Conference in Simla in 1945, parity was mooted between caste Hindus and Muslims; now parity was aimed for between Congress and the Muslim League. The Congress, as a party, represented all religions, castes, classes and groups that made up India whereas, as per their claim, the Muslim League only represented the Muslims. Yet there was to be parity between the two. The Muslim League, in its lust for power, was not willing to acknowledge the existence of their own coreligionists who had thrown in their lot with the Congress, and the British encouraged their undemocratic and immoral demands.

Initially, it was agreed that out of the five seats to which Muslims were to be nominated, four would be nominees of the League and one would be a Congress nominee. Now the League was given the right to nominate all the five Muslims since they were acknowledged to be representing Muslims. But since the Congress was truly representative of the national make-up and was a nationalistic organisation, they were honour-bound to nominate one nationalist Muslim amongst its quota of six members and another from the schedule caste. This would reduce the number of the majority community members to a minority of four in the interim government comprising thirteen members. On 14 June, the Congress president wrote to the viceroy saying: 'We are unable to agree to this proposal. If the position about the European vote and "parity" remains, my Committee are reluctantly compelled to inform you that they will not be able to assist you in the difficult task ahead'. The letter brought to a close the Cabinet Mission's negotiations on the issue of the formation of the interim government.

Ever since his return from Mussoorie, Gandhi had been feeling extremely restless. He was disturbed by the direction the events were taking in the on-going negotiations with the Cabinet Mission and the mechanisations of the colonial administration. He suspected that things were going awry and the country would have to pay a heavy price. He was also doubtful of the willingness of the Congress leadership to fight for a right and just solution. His anxiety has been mentioned by Pyarelal Nayyar in his diary while writing about his day on 15 June 1946: 'Again, Bapu is in the grip of his "instinct"! For the last three days he has been feeling that things are going wrong. Everybody, including the viceroy, seems to be afraid of Jinnah and vainly trying to please him at any price. They admit that his position is untenable yet the blame is laid at the door of the Congress! Cripps seems to be isolated from his colleagues'.

It was an acknowledged fact that Gandhi had an uncanny intuition.

On 16 June, the viceroy and the Cabinet Mission issued a joint statement declaring that they had decided to abandon further negotiations and were going to declare their own list of persons who would form the interim government. Invitations were sent to fourteen persons, six Hindu members of Congress, including a representative of the schedule caste, five Muslims of the Muslim League and three representatives of the minority communities: one Sikh, one Indian Christian and one Parsi. Lord Wavell sent an advance copy of the statement to Gandhi. All the Muslims in the list were those recommended by the Muslim League, but there were changes in the list submitted by the Congress. The Congress' nominee Sarat Chandra Bose was replaced by another Congressman, Harekrushna Mahtab; the name of Rajkumari Amrit Kaur was omitted, and the nationalist Muslim nominee, Dr. Zakir Hussain, was deleted. The Congress had objected to the Muslim League nominee Abdur Rab Nishtar right from the beginning, their argument being that Nishtar was a defeated candidate of the League in the just concluded elections, and nominating him to the interim government would go against the people's verdict. But the viceroy ignored the objection. The original figure of a thirteen-member interim government had been increased by one at the Congress' insistence that the interim government be balanced. However, the viceroy nominated a government official, N.P. Engineer, the advocate general. Engineer was the prosecution counsel in the recently concluded trials of the Azad Hind Fauj soldiers. His inclusion in the list of nominees for the interim government was a slap in the face of Indian national pride.

In his post-prayer speech on the 16th, Gandhi pleaded for patience. He said, 'You should bear with the Mission, too. They have inherited the tradition of imperialism which they cannot outgrow all at once.... We must not blame them for not throwing it overboard overnight. Let us trust their bona fides. Let us not act upon mere suspicion.' That night he woke up at half past one and dictated a draft of a letter from the CWC to the viceroy in response to the unilateral announcement about the interim government. He emphasised four points: (i) the League being avowedly a Muslim organisation could not include any non-Muslim representative in its list; (ii) the Congress as a nationalist organisation must have the right to include a Congress Muslim in its list; (iii) the League could have no say in the selection of any name outside those belonging to its quota of five Muslims.

This meant, in the event of a vacancy occurring among the seats allotted to the minorities, the Congress alone would have the right to select names to fill up the vacancies as it claimed to represent all sections by right of service; and (iv) in action, the interim government should be regarded as being responsible to the elected representatives in the Assembly. The CWC ignored Gandhi's draft and in the afternoon session on 17 June decided on their reply: the CWC was not 'enamoured' of the viceroy's proposal but they did not want to say 'no' to it. Mahtab, being a loyal Congressman, would abide by the decision of the CWC and the omission of Sarat Chandra Bose would be rectified. The non-inclusion of a nationalist Muslim from the Congress would be dealt with by nominating a nationalist Muslim in place of a Hindu from the Congress quota, even though this would effectively give the majority Indian community a minority representation in the interim government.

After having denied that he had ever assured the Congress that the interim government would enjoy the same powers as a dominion Cabinet, in a letter addressed to the Congress president on 30 May, the viceroy went on to assure that: 'His Majesty's Government would treat the new Interim Government with the same close consideration as a Dominion Government; most liberal intentions may be almost unrecognisable when they have to be expressed in a formal document. I have no doubt that if you are prepared to trust me, we shall be able to cooperate in a manner which will give India a sense of freedom from external control and will prepare [it] for complete freedom as soon as the new constitution is made'. The Congress surprisingly cowed down to the bullying tactics of the Muslim League and the partisan behaviour of the viceroy and decided to accept the viceroy's plan for the interim government. It was decided that, since the inclusion of Abdur Rab Nishtar's name directly affected the Khan brothers of the NWFP, the CWC would wait for the arrival of Khan Abdul Ghaffar Khan from Uttmanzai the next day.

Just then a new crisis occurred. The *Statesman* published an extract of a letter written by Jinnah to Lord Wavell, in which he had laid down new conditions which would have to be fulfilled before the Muslim League agreed to the proposal put forth by the viceroy. Some of his demands were totally new, to which the Congress could never agree. Referring to the newspaper report the Congress president wrote to the viceroy asking for the text of Jinnah's letter as well as the viceroy's reply. In a letter dated 20 June

1946, the viceroy had given several assurances to Jinnah. One was that no change would be made in the list of nominees without the consent of both the major parties. This meant that the Congress could not nominate a nationalist Muslim even within its own quota without the consent of the League and neither would its objection to the nominees of the League be of any consequence. Another assurance given by the viceroy to Jinnah was that if a vacancy occurred among the minority seats, including the schedule castes, both the major parties would be consulted before filling the vacancy. This gave the Muslim League the power of veto in the selection of representatives of the scheduled castes who were an integral part of the Hindu society, even according to the classifications prepared by the administration and confirmed by the viceroy, and further linked by him to the Congress. In his letter of 15 June to the Congress president, the viceroy had denied that there was any League-Congress or Hindu-Muslim parity in the interim government, since to the five League-Muslim members there were six Congress-Hindu members which included a schedule caste member. But with the new Wavell-Jinnah understanding, 'parity' was being brought in through the backdoor. Now the schedule castes were not only being separated from the Congress, but also from the Hindu quota. This was the only conclusion that could be drawn from the viceroy giving the Muslim League the power to accept or reject a nominee of the schedule castes; there would now be parity not only between the Congress and the Muslim League, but between the caste Hindus and the Muslims too. The Congress would henceforth not only be reclassified as a Hindu organisation, but as a caste Hindu one.

The CWC now began to feel that the viceroy was not only behaving in a partisan manner towards the Muslim League and Jinnah, but actually in alliance with them. This feeling was further strengthened when, on 22 June, the viceroy, in a letter to the Congress president, asked the Congress not to press their demand for the inclusion of a nationalist Muslim from their party in the interim government: Tor reasons of which you are well aware it is not possible for the Cabinet Mission or myself to accept this request'. This was at variance to his reply rejecting the objections raised by the Congress to the Muslim League's nominee Abdur Rab Nishtar. The viceroy had, on 15 June, reasoned that, 'I cannot accept the right of the Congress to object to names put forward by the Muslim League, any more than I would accept similar objections from the other side'.

To Gandhi, the intricacies of maintaining a balance of power were meaningless. He refused to accept a change of role for the Congress for the mere success of a power-sharing formula. To him, the Congress was rightfully and duty-bound to portray its role as a nationalist organisation representing all communities and classes. The Congress would be committing political suicide if it accepted any other role. Similarly, it must not discard, for any political gains, its friends. Such opportunism would be the cause of its downfall and would eventually prove fatal. 'To gain the world at the cost of one's soul' was a bad bargain for Gandhi. The CWC, however, thought differently. The daily entries in Pyarelal's diaries throw light on the events of these days, Gandhi's state of mind and the growing chasm between him and the CWC:

New Delhi, 19th June, 1946

'In order to include a Nationalist Muslim in the Cabinet it would be necessary for the Congress to drop a Hindu name. If an outstanding figure like Maulana Saheb for instance is put there, nobody would object even though it would reduce the Hindu quota. But the Maulana feels a delicacy about it and has absolutely refused in spite of Bapu's personal pleading.

'Bapu gave a final notice to the Working Committee today that if they agreed to the non-inclusion of a Nationalist Muslim and the inclusion of the name of N.P. Engineer, which the Viceroy had foisted upon them, he would have nothing to do with the whole business and leave Delhi'.

New Delhi, 20th June, 1946

'Bapu again reiterated his stand in the Working Committee in regard to the inclusion of a Nationalist Muslim. The Sardar strongly supported him and told the members that they dared not make terms with the Cabinet Mission by repudiating Bapu. In the end it was decided to send Bapu's draft letter to the Cabinet Mission. In the meantime news came that the Kashmir Government had arrested Pandit Nehru. Wires were sent to the absent members, Shankarrao Deo, Govind Vallabh Pant and Narendra Dev—to call them back.

'Between 1.30 and 2.45 pm, Cripps came and saw Bapu. Bapu again urged upon him that the Cabinet Mission must choose between the one or the other party, not attempt an amalgam; the Cabinet Mission were pursuing a wrong course. Cripps was apologetic. It would be difficult to begin anew

after having come so far; Jinnah would not listen, and so on. In the end Bapu told him that in that case the Cabinet Mission could go the way they liked; he would have nothing to do with it.'

New Delhi, 21st June, 1946

'Bapu's draft was again discussed in the Working Committee. Bapu warned the members that they would not gain anything by entering on their new venture on bended knees. He reiterated his opinion that if the Cabinet Mission did not accept their conditions, it would be better to let the Muslim League form a National Government at the Centre during the interim period.

'The Maulana Saheb sent a wire to the Kashmir Government that Jawaharlal's presence was badly needed in the deliberations on the Working Committee. He also sent a message to the Viceroy requesting him to make arrangements for a suitable transport to enable him to return to Delhi. The Viceroy has accordingly sent necessary instructions to the Resident. Later, news came that Kashmir Darbar had provided plane and motor transport for Jawaharlal's return.

'In the evening Bapu told the Sardar that negotiations for the inclusion of a Nationalist Muslim in the Cabinet should be conducted not by the Maulana Saheb but someone else as the Maulana Saheb being himself a Nationalist Muslim might feel it embarrassing to carry the insistence to its logical end.'

New Delhi, 22nd. June, 1946

'Sudhir Ghosh saw Cripps. He reported that Cripps had told him that the Congress stand in regard to the inclusion of a Nationalist Muslim was absolutely logical and legitimate but could not the Working Committee waive it? They had proceeded on a written assurance which they had received from the Maulana Saheb that the Working Committee would not stick out on that point. And now they found themselves placed in an awkward position. On Sudhir asking why they could not entrust the power to the League if the Congress declined to accept it on the Cabinet Mission's terms, Cripps replied that they did not feel that the League by itself could be entrusted with it.

"Then why not entrust it to the Congress?"

"For that we shall need the authority of HMG."

"Could not that be done from here?"

"No, that would require personal discussion."

'At noon, a letter was received from the Viceroy asking the Congress President not to press the demand about the inclusion of a Muslim of their choice among the representatives of the Congress in the Interim Government. It achieved what Bapu's persuasion had failed to do so far. On the question being put to the vote in the Working Committee all except one were opposed to the acceptance of power on those terms'.

New Delhi, 23rd June, 1946

'In the Working Committee meeting in the afternoon Bapu put forth his emphatic view that the Congress should keep out of the Interim Government but go into the Constituent Assembly as it was purely an electiye body whose representative character was admitted even by the British Government. The Viceroy could not interfere with its working—he could not even sit in it as a matter of right. If the worst came to the worst, it could be turned into a rebel body... In the alternative, he saw no possibility of giving a fight, as the requisite atmosphere of non-violence was not forthcoming. Personally, he could not even think of launching civil disobedience, etc.

'While he was proceeding in this strain, Rajendra Babu read out a telegram he had received from Assam, drawing attention to the form which the Viceroy's Reforms Office had issued to the Speakers of the various Provincial Assemblies for the election of members to the Constituent Assembly. Among other things it required the candidates to declare that they would be "willing to serve as representatives of the Province for purposes of paragraph 19 of the statement" of 16th May of the Cabinet Mission. Para 19 contained the disputed clauses relating to the formation of groups. Sardar Patel had also received a similar message from B.G. Kher, the Chief Minister of Bombay: If the Congress candidates signed the declaration would it not commit them to the principle of grouping and voting in the Section, as laid down in Para 19? On reading the text Bapu exclaimed: "Even the Constituent Assembly plan now stinks. I am afraid, we cannot touch it".

'Referring to the new hitch in the course of the prayer discourse in the evening Gandhi remarked: 'A single drop of poison can convert a pot of nectar into a fatal draught. It grieves me to see that the Constituent

Assembly is being killed by the underlings of the very people who had given it birth,' he said about the authors of the state paper unless it was found later that they had known that such instructions were issued. He still clung to the hope that it was only an error and would soon be rectified.

'In the evening Rajkumari Amrit Kaur went to see Abell, private secretary to the viceroy. Abell said that Jinnah was very obstinate. But what could they do? They had to take him along. He showed her the letter received from the Congress which apparently seemed to have been written without the knowledge of the CWC. It was only on receiving that letter that they had conceded Jinnah's demands for the sake of a settlement. How could they be blamed for it? He hoped that the Congress would not carry its insistence to the breaking point'.

New Delhi, 24th June, 1946

'Fates seem to have been furiously at work yesterday. In the morning while returning to Birla House from the silent prayer meeting, after dropping Bapu at Harijan Colony, the Sardar's car crossed that of Lord Pethick-Lawrence coming from the opposite direction. Lord Pethick-Lawrence had gone from the silent prayer straight to Birla House to meet the Sardar but did not find him there. He recognised the Sardar's car, took the Sardar into his own and whisked him away to his residence, where they had half an hour's talk.

'At noon Lord Pethick-Lawrence and Mr. A.V Alexander joined the Sardar at lunch at Birla House. Rajaji also was present. In the afternoon the Sardar, the Maulana, Pandit Nehru and Rajendra Babu had a meeting with the Cabinet Mission and the Viceroy.

'In the morning today, when Sudhir came to see Bapu, he said that last night he had seen Cripps. The latter had told him that they had decided that if the Congress accepted the long term plan and rejected the short term proposal, all that the Cabinet Mission had done under the 16th June declaration for the formation of an Interim Government would be scrapped and a *de novo* attempt made for the same. They invited Bapu and Sardar to meet them. They seem to have made up their mind to clear up the mess created by the assurances given to Jinnah by Lord Wavell.

'At seven a.m. Bapu accompanied by Sardar and Sudhir went to meet the Cabinet Mission. Today being his day of silence, conversation on his part was carried on by scribbling short slips, which read as follows:

"I understood that you proposed to scrap the whole plan of Interim Government as it has gone up to now and consider the situation *de novo.*

"Then if you say that you will form a Government out of the acceptances it won't work as far as I can see. If you are not in a desperate hurry and if you would discuss the thing with me, I would gladly do so after I have opened my lips, i.e. after 8 p.m. Meanwhile you should have if you do not mind the Working Committee letter of rejection of the proposal contained in the Viceroy's letter of 22nd instant. In my opinion that letter put a new appearance on the Interim Government. The object of the Working Committee so far as I know is to help the Mission, not to hinder it except when its project results in the Working Committee committing suicide. Sudhir's talk led me to see light through the prevailing darkness. But is there really light?

"As to the Constituent Assembly, I was quite clear up to yesterday afternoon that the Congress should work the Constituent Assembly to the best of its ability. But the rules I read yesterday have revolutionised my mentality. There is a serious flaw. I accuse nobody. But a flaw is a flaw. The three parties must not work with three minds and hope for success.

"Then you should not isolate a particular section from the whole. Why not say 'under the state Paper as a whole'?

"However I would gladly discuss this question also with you in the evening. I am sorry to cause you all this trouble. I only hope that you perceive my object in all this effort."

'After the meeting, the Sardar asked to be dropped at the residence of the Maulana. On the way he asked Bapu: "There is a meeting of the Working Committee; what am I to tell them?" Bapu answered that he was not satisfied with the talk with the Cabinet Mission. The Sardar was irritated. "You raised doubts as regards para 19. They have given a clear assurance on that. What more do you want?" Bapu scribbled in reply: "During our meeting when Cripps said to me that if we were apprehensive about the wording of the instruction issued by the Reforms Office they could delete the reference to para 19 and substitute in its place the words 'for the purpose of the declaration of the 16th May', Lord Pethick-Lawrence immediately intervened and said: 'No, that presents difficulty'. " The Sardar dissented, Bapu asked Sudhir, Sudhir confirmed Bapu's version but added that his own impression was that they were prepared to concede what Bapu had asked for.

'The Maulana Saheb after hearing the report of the meeting with the Cabinet Mission took both Bapu and Sardar to the Working Committee where there was a prolonged discussion. The Sardar said that they were under a promise to give their decision to the Cabinet Mission that afternoon. Bapu dissented. In a series of scribbled slips he suggested that they should postpone their decision till he met the Cabinet Delegation in the evening and obtained further clarification from them. Finally he scribbled: "There is no question of my feelings being hurt. I am against deciding this issue today but you are free to decide as you like".

'The Cabinet Mission had asked for the final decision of the Congress and the League on their proposals to be conveyed to them by 2 o'clock. At noon someone from the Viceroy's house rang up Pandit Nehru to say that the Working Committee's reply should be sent at once. Pandit Nehru rang up the Sardar who replied that he saw no reason for hurry and asked Sudhir to contact Mr Blaker of the Cabinet Mission staff and say that such impatient insistence would needlessly spoil matters. Bapu on being informed of it drafted a short interim reply to be sent straightaway and suggested that the Cabinet Delegation should be informed that a detailed letter would follow. This was done. Afterwards it was learnt that the overzealous official, who had sent the telephone message, presumably to help the Muslim League, who were waiting for the Congress decision, had acted without authority and was pulled up for it.

'In the afternoon meeting of the Working Committee Bapu asked me to read out a note which he had written for the Working Committee. In it he pointed out that the Constituent Assembly had no *de jure* authority, as it did not bear the imprimatur of the Parliament. It was based only on a recommendation of the Cabinet Mission. "Their recommendation will remain in their mouth or on the printed paper. We shall have no authority even to order a constable if there is a row in the Constituent Assembly. This is a dangerous situation. There must be the imprimatur of the Parliament and real power in the Central Government before we can make anything of the Constituent Assembly. The imprimatur of the Parliament would clear the way for the Chairman of the Constituent Assembly (by making the issue adjudicable) in case he wants to refer a point of major importance to the Federal Court for decision".

'In the course of the discussion that followed, the Sardar pressed with great vigour his view that the explanation given by the Cabinet Mission in

regards to the Reforms Office was quite adequate and the Congress could not postpone giving its decision forthwith without damaging its prestige. Bapu scribbled: "My mind is in a fog.... It centres round the insertion of reference to para 19 ... and the meaning of 'scrapping the whole plan' (of the Interim Government)." The Sardar lost patience. Bapu asked Sarat Bose and Rajendra Babu to give their legal opinion as to whether the declaration that had been issued to the Speakers of the Assemblies left the members, who might go into the Constituent Assembly after signing it, freedom of action in regard to para 19 of the 16th May plan. The opinion of Sarat Bose was that reference to para 19 in the instructions did not take away from the members' liberty of action since their acceptance of the State Paper was subject to the legal interpretation of the Clauses in dispute. Rajendra Babu's opinion was that para 19 did not make grouping compulsory. It only gave Provinces freedom to form groups as was clear from the language of the document itself. In regard to having the imprimatur of the Parliament on the State Paper, Pandit Nehru felt that it would be a "limiting process" and restrict the scope of interpretation.

'For once fear has proved a liar. The Cabinet Mission issued an elucidation in the evening that the form which the members of the Constituent Assembly were required to sign did not bind them down to frame a constitution in terms of para 19. The pledge they had to sign required them only to cooperate in framing a constitution for India.

'At 8 pm when Bapu's silence ended, he and Sardar met the Viceroy and the members of the Cabinet Mission at the Viceroy's House. On returning from there the Sardar again asked Bapu: "Were you satisfied?" Bapu replied: "On the contrary my suspicions have deepened. I suggest that hereafter you should guide the Working Committee." The Sardar replied: "Nothing of the sort. I am not going to say a word. You yourself tell them whatever you want."

'At 10 pm Bapu wrote a letter to Cripps: "I would rather not write this note.... In spite of the readiness ... of the Working Committee to go in for the Constituent Assembly I would not be able to advice the leap in the dark.... There is nothing but a vacuum after you throw all the commitments on the scrap heap, if you really do intend to do so.... The instructions to the Governors (issued by the Reforms Office), innocuous as they have proved to be, have opened up a dreadful vista. I, therefore, propose to advise the Working Committee not to accept the long term proposition without its

being connected with the Interim Government. I must not act against my instinct...."

New Delhi, 23rd June, 1946

'At 8 a.m. Bapu went to attend the Working Committee meeting. He asked me to read out the note which he had written to Cripps last night. He then addressed them very briefly: "I admit defeat. You are not bound to act upon my unsupported suspicion. You should follow my intuition only if it appeals to your reason. Otherwise you should take an independent course. I shall now leave with your permission. You should follow the dictates of your reason."

'A hush fell over the gathering. Nobody spoke for some time. The Maulana Saheb with his unfailing alertness at once took in the situation "What do you desire? Is there any need to detain Bapu any further?" he asked. Everybody was silent. Everybody understood. In that hour of decision they had no use of Bapu. They decided to drop the pilot. Bapu returned to his residence.

'The Working Committee again met at noon and addressed a letter to the Cabinet Mission, rejecting the proposal for the formation of the Interim Government at the Centre and accepting the long term plan with its own interpretation of the disputed clauses. In spite of it they made Bapu attend the afternoon session of the Working Committee. At noon the Cabinet Mission invited the members of the Working Committee to meet them. Bapu not being a member was not sent for and did not go. On their return nobody told Bapu a word about what had transpired at the meeting!

The final phase of negotiations with the Cabinet Mission also saw a phase when the growing distance between Gandhi and the CWC, and between him and some of the Congress stalwarts became very apparent. Gandhi had very rigid views on various aspects of the transfer of power, the ongoing negotiations with the British, as well as the electoral practices of the Congress. There were many issues on which he did not see eye to eye with the Congress leaders. More often than not, the Congress as a party and its leaders were abandoning Gandhi and turning a deaf ear to his advice on vital matters. Yet they needed him to endorse their decisions to make them acceptable to the people of India; the masses in the country's fields and villages would accept anything that their Bapu had blessed. And so, after

disagreeing with him, after ignoring his advice, after sidelining him, they would finally cajole him into endorsing their acts.

They did not agree with him when he insisted that the differences between the Muslim League and the Congress be resolved only after the British left. 'Independence first,' he insisted; 'power soonest and at any cost,' was their refrain. Gandhi wanted the British Army out of India, he preferred anarchy to discipline enforced with the use of British arms and muscle power. He wanted to deal with the Muslim League and their demand for separation as a negotiated settlement between two parties of an independent sovereign state devoid of the vitiating influence of the British colonialists.

On the political front he objected to the pampering of the Indian National Army soldiers by the Congress with money and other incentives. He was opposed to the Congress' use of money in the elections. Gandhi warned of dire consequences both for the pampering of the ex-soldiers and the use of funds in elections, but his warnings fell on deaf ears. These were political necessities what would an impractical idealist know about these things? he was told. But the pampering of the ex-INA men became a problem very soon: their demands kept growing and some of them even threatened to resort to violence. Some of them who were supported or nominated by the Congress to fight the elections lost and promptly switched over to the Muslim League. One who came back to haunt the Congress was Mian Ghulam Sarwar, the butcher of Noakhali.

Referring to an incident in the Working Committee on the last day at Delhi, Gandhi wrote to Patel from Poona on 1 July 1946 saying, 'I did not like our conversation today. It is nobody's fault. The fault, if at all, is of the circumstances. What can you or I do for it? You go by your experience, I by mine. You know I have been at a loss to understand a number of things which you have done.... You speak in the Committee with much heat. I do not like it. On top of it today came the question of the Constituent Assembly.... All this is not by way of a complaint. But I see, we are drifting in different directions.'

Patel replied: 'What can I say after your letter? I must be at fault. Only I cannot yet see it and that makes me feel unhappy. I do not want to take a different path.... My own instinct was to the contrary but if I had not done what I did, the Congress would have been held to blame afterwards.... I do betray some heat when I speak in the Committee.... That is a temperamental defect ... but there is nothing in it.'

The Working Committee's decision conveyed to the Cabinet Mission on 25 June did not solve the matter. The Cabinet Mission adhered to its own interpretation of the disputed clauses; they decided to shelve any effort to solve them for the time being. The Cabinet Mission decided that the responses of both the Congress and the Muslim League were in accordance with their 16 May plan and so both the parties were qualified to be invited to form the interim government. They called a short recess in the negotiations, and on 29 June the three-member Cabinet Commission left Delhi for London.

The doubts in Gandhi's mind persisted. But he had come to terms with the decision of the Working Committee. He had realised that fissures in the Congress leadership already existed and this was not the time to rip them open and expose the Congress' weak underbelly. If he had reservations he would try to find ways to deal with them, but he would not launch an agitation when he himself was not sure about the veracity of the doubts that troubled him. He blamed himself for this weakness that assailed him.

Speaking to his biographer, Louis Fischer, he said that after informing the Working Committee about the doubts that troubled him and admitting to them he could not substantiate his doubts, he was 'groping in the dark', and had instructed the Working Committee to 'Follow your reason since my own reason does not support my instinct, I myself have not followed my instinct unless my reason backed it. My reason failed my instinct on the long term proposal.'

Gandhi's instinct was alerted to the hidden pitfalls due to various reasons. He was suspicious of the mechanisations of the British Administrative machinery. He did not mistrust the intentions of the Cabinet Mission or the viceroy as yet, but he was suspicious of the way things had proceeded thus far. Very significant to Gandhi was the hesitation displayed by Lord Pethick-Lawrence during the interview on the morning of 24 June. He had realised that there was disagreement over many matters between the members of the Cabinet Mission and also between them and the viceroy and the British colonial administration. Finally he was worried about the way the viceroy's Reforms Office was functioning. He had time and again expressed his conviction that India would come into its own only when it broke the 'Indian Steel Frame'. Srinivas Sastry's words spoken after the Second Round Table Conference in London, came back to his mind: 'Many

good intentions emanating from Whitehall have been assassinated in the dark corridors of the Delhi Secretariat'. Would history repeat itself?

On 27 May he wrote to Sir Cripps: 'Trust put on is worse than useless, trust felt is the thing that counts.... Trustworthy action on the part of the Cabinet Commission will dispel all mistrust or distrust, as the sun dispels the morning mist'.

On 29 June Gandhi left Bombay to go to Poona. As the special train carrying him sped through the night on its ascent of the Deccan plateau it suddenly came to a screeching halt—boulders had deliberately been placed on the tracks to derail the train. The engine driver, Periera, had pulled the emergency brakes in time but not before the undercarriage of the engine and the first carriage were mangled by the boulders. Another attempt on Gandhi's life had failed.

The All India Congress Committee met in Bombay on 7 July 1946 to ratify the decisions taken by the Working Committee. The Socialist element in the Congress were opposed to the CWC's acceptance of the long-term proposals of the Cabinet Mission. A large part of the speech Gandhi delivered endorsed the Working Committee's decision:

'You know my relations with the members of the Working Committee.... I could have asked them to turn down the proposal about the Constituent Assembly ... but I could not adduce any reason for it.... Their decision which ... unanimous is before you.... The members of the Working Committee are your faithful and tried servants; you should not lightly reject their resolution.

'I am willing to admit that the proposed Constituent Assembly is not the Parliament of the people. It has many defects. But you are all seasoned and veteran fighters. A soldier is never afraid of danger. He revels in it. If there are shortcomings in the proposed Constituent Assembly, it is for you to get them removed. It should be a challenge to combat, not a ground for rejection. I am surprised that Shri Jayprakash Narayan said yesterday that it would be dangerous to participate in the proposed Constituent Assembly and they should, therefore, reject the Working Committee's resolution. I was not prepared to hear such defeatist language from the lips of a tried fighter like Jayprakash.... A *Satyagrahi* knows no defeat.

'Nor would I expect a *Satyagrahi* to say that whatever Englishmen do must be bad. The English are not necessarily bad. There are good men and bad men among the English people as among any other people. The English

could not have risen to their present strength if they had not some good in them. We ourselves are not free from defects.... Some people say that Satyagraha is of no avail against a person who has no moral sense. I join issue with that. The stoniest of heart must melt if we are true and have enough patience. A *Satyagrahi* lays down his life, but never gives up. That is the meaning of "Do or Die"....

'This is no time for dalliance or ease.... The Constituent Assembly is going to be no bed of roses for you but a bed of thorns. You may not shirk it....

'If you asked me whether in the event of your rejecting the proposed Constituent Assembly or the Constituent Assembly failing to materialise I would advise the people to launch civil disobedience, individual or mass, or undertake a fast myself, my reply would be "No". I believe in walking alone. I came alone in this world, I have walked alone in the valley of the shadow of death and I shall quit alone, when the time comes. I know I am quite capable of launching *Satyagraha* even if I am alone. I have done so before. But this is no occasion for a fast or civil disobedience. I regard the Constituent Assembly as the substitute of *Satyagraha.* It is constructive *Satyagraha.*

'The alternative is constructive work to which you have never done justice.... But a *Satyagrahi* cannot delay action till perfect conditions are obtained. He will act with whatever material is at hand, purge it of dross and convert it into pure gold....

'Let us not be cowardly in our approach but face our task with confidence and courage. Let not fear of being deceived dismay us. No one can deceive a *Satyagrahi.* Never mind the darkness that fills my mind. God will turn it into light.'

The decision of the Congress Working Committee with regards to the Cabinet Mission's proposal was ratified by the All India Congress Committee with 204 votes for and 51 votes against.

Gandhi left for Panchgani to rest and recuperate. For the past few years after his release from imprisonment, he had spent two months in the cool mountain habitat of Panchgani near Poona every summer. Although his purpose was to rest, he was a deeply worried man: the rains were delayed and the paddy crop was under threat; in these days of food scarcity a failed paddy crop would ruin the economy of many villages. Fortunately the rain gods relented and he breathed a sigh of relief.

But the anxiety about the direction in which his beloved country was heading and his inability to understand the doubts that kept needling him made his stay in Panchgani uneasy. Finally, he decided to cut short his stay and head for Sevagram. He spent a few days at the Nature Cure Centre at Urli Kanchan. However, instead of resting there his schedule became very hectic with a lot of people meeting him. Weary and fatigued he commented: 'It is to be seen what Sevagram can do for me, it is not, however, the burden that matters, but absence of detachment. I have not yet learnt sufficiently to leave things to God. But that must not become an additional cause for worry if one has a living faith in God.'

The CWC met again in Delhi in the last week of June. The discussions centred around the Congress' acceptance of the long-term plan of the Cabinet Mission while rejecting their short-term plans. In another part of the city, the Working Committee of the Muslim League was continuously in session, impatiently awaiting the Congress' decision. Jinnah and the League usually followed the tactic of holding back their hand till the Congress' cards were on the table. The League had already accepted the Cabinet Mission's proposal of 16 May. Their interpretation of the grouping clause had been endorsed by the Cabinet Mission and Jinnah had secured further assurances from Viceroy Lord Wavell. He assumed that the Congress would never accept such a lopsided plan and thus the League would be invited to form the interim government.

On the evening of 25 June, having received the Congress' reply, to his surprise the Cabinet Mission sent for Jinnah and informed him that they were satisfied by the replies of both parties, and both had qualified to be part of the interim government. The Congress had expressed its inability to be part of this government in accordance with paragraph 8 of the 16 June proposal which said that, if either of the two parties was unwilling to join the formation of the coalition government on the lines set up in that statement, the viceroy would proceed with the formation of an interim government which would be as representative as possible of those willing to accept the statement of 16 May.

Jinnah was furious. He asked the Cabinet Mission to give him in writing what they proposed to do, and then rushed to the Working Committee of the League, where he had them pass a resolution accepting the 16 June proposal for the formation of the interim government. He felt that, after the Congress' stand, the viceroy was honourbound to invite the Muslim League to form

the interim government. But the Cabinet Mission maintained that, according to them, 'If either the Congress or the Muslim League would not consent to come into the Coalition Government, then the scheme for Coalition Government went and we would have to find some other Interim Government of those who accepted the scheme of 16th May'. Accepting the 16 May statement entitled the Congress to be invited to that coalition government as the biggest political group of the country. Accordingly, on 26 June, the Cabinet Mission issued a statement to the effect that further efforts for the formation of the interim government would be resumed after a short break, while the elections for the Constituent Assembly were taking place.

The Muslim League was angry; it felt that it had been outmanoeuvred, let down, deceived. Jinnah demanded that, since the plan for the formation of an interim government was shelved, the elections to the Constituent Assembly must also be postponed. This was also rejected by the Cabinet Mission. A livid Jinnah accused the Cabinet Mission of 'breach of faith'; he termed the Cabinet Mission's interpretation of paragraph 8 as 'most fantastic and dishonest'. For once, Jinnah was stranded without the help of his traditional patrons, and like a petulant brat he resorted to threats and warnings of dire consequences.

The League Council met on 29 July and withdrew its previous acceptance of the 16 May plan. It announced its intention to launch 'Direct Action' to achieve Pakistan and 'to organise the Muslims for the coming struggle to be launched as and when necessary'. The 16th of August 1946 would be 'Direct Action Day', and would be observed all over India as a day of protests, they said.

To thundering applause in the concluding session of the Muslim League's Council Jinnah declared: 'Today we bid good-bye to constitutional methods.... We have also forged a pistol and are in a position to use it.' In a press conference on 31 June, he further clarified that, since both the British government and the Congress were armed in their own way, one with fire weapons and the other with the threat of mass struggle, the Muslim League felt it was high time it also got ready for a struggle to enforce its demand for Pakistan. He declined to discuss the details of the proposed 'Direct Action', saying, 'I am not prepared to tell you that now.' Asked whether 'Direct Action' would be violent or non-violent, he replied, 'I am not going to discuss ethics.'

* On 25 September 1940, in a letter to Jinnah, Lord Linlithgow had suggested: 'I am content that the selection of representatives, while resting with the Governor-General, be based in the case of the Muslim League ... not on a panel formally submitted but on a confidential discussion between the leader of the party and myself'. In his letter to Wavell, Jinnah wrote: 'The Working Committee is of the opinion ... that the procedure settled on the previous occasion should be followed in the present case so far as the Muslim League is concerned'. When the viceroy refused to accept this condition Jinnah wrote: 'The Committee ... desires me to state that it regrets very much to note that your Excellency is not able to give the assurance that all the Muslim members of the proposed Executive Council will be selected from the Muslim League ... and, in the circumstances, I regret, I am not in a position to send the names on behalf of the Muslim League for inclusion in the proposed Executive Council'.

8

VIOLENCE ERUPTS

'Perhaps the only thing that can be quite positively asserted about this orgy of arson and violence is that it was not a spontaneous uprising of the villagers.'

– Report in *Hindustan Standard*, 6 November 1946

Others in the Muslim League were much more forthcoming, and a sinister connotation to 'Direct Action' began to emerge. Khwaja Nazimuddin of Bengal explained, 'There are a hundred and one ways in which we can create difficulties, especially when we are not restricted to non-violence. The Muslim population of Bengal knows very well what Direct Action would mean and we need not bother to give them any lead.' Nawabzada Liaquat Ali Khan, Jinnah's right-hand man, explained, 'Direct Action means resorting to non-constitutional methods and that can take any form and what ever form may suit the conditions under which we live, we cannot eliminate any method, Direct Action means action against the law.' Sardar Abdur Rab Nishtar was far more honest in explaining the League's plans for Direct Action: 'Pakistan can only be achieved by shedding blood and if the opportunity arises, the blood of Non-Muslims must be shed, Muslims do not believe in ahimsa.'

As early as April 1946, Sir Feroz Khan Noon, while addressing the Muslim League Legislator's Convention, had warned, 'For placing us under one Central Government, the havoc which the Muslims would play would put to shame what Chengiz Khan and Halaku did.' The Muslim League went on a campaign of provocation, and both the Congress as well as the British administration stood by and watched. It was not as if the League was going to wait till the appointed date to let loose the violence. Communal incidents and planned attacks by hooligans had already been reported from Ahmedabad, Bombay, Allahabad, Aligarh, Dacca and various other places. Stabbings and attacks on isolated minorities were taking place everywhere. The Muslim League set up a 'Council of Action' to plan and execute the proposed 'Direct Action' programme and their press carried the message to Muslim communities all over. Muslims were reminded that it

was in the month of Ramzan that the 'first open conflict between Islam and Heathenism' was fought and won by 313 Muslims in Arabia. A leaflet containing a special prayer for the crusade announced that 100 million Indian Muslims 'who through bad luck had become slaves of Hindus and the British' would be starting 'a *Jehad* in this very month of Ramzan'. Another leaflet featuring a picture of Jinnah wielding a sword, proclaimed: 'We Muslims have had the Crown and have ruled. Be ready and take your swords.... *O Kafirl* ... your doom is not far and the general massacre will come!'

DIRECT ACTION DAY

While a lot of propaganda was unleashed by the Muslim League, their boast that they represented all the Muslims was put to one of its most severe tests with the Direct Action Day programme. It was soon apparent that Direct Action would only succeed in the states under Muslim League control, which were mostly the provinces it claimed for its Islamic homeland: in the west, parts of Muslim-dominated West Punjab, and in the east, the Muslim League-ruled Bengal.

Bengal was governed by a Muslim League government headed by Shaheed Suhrawardy. After the Muslim League rejected the Cabinet Mission's plan, Suhrawardy had declared that if the Congress was in power at the Centre, Bengal would raise the standard of rebellion. They would declare independence.

As chief minister Suhrawardy had law and order under him, including the police department. He systematically began transferring Hindu policemen and replacing them with Muslim policemen. By 16 August 1946, Direct Action Day, of the twenty-four police stations in Calcutta, twenty-two had Muslim officers in charge and the other two were in charge of Anglo Indian officers.

The provincial government declared 16 August a public holiday, ignoring the warning and protests from the opposition. Muslims were systematically armed; lathis, spears, hatchets, daggers, swords, clubs, crude bombs and firearms were gathered and distributed in advance. Transport was commandeered and arranged for League volunteers, which was eventually used for transporting anti-social elements. Although there was strict rationing of fuel, large quantities were made available to ministers of the League government and also to the chief minister himself. First aid

camps were set up for those who might be wounded while fighting for the cause of Pakistan.

One of the events planned for 'Direct Action Day' was a mass rally of Muslims at the Calcutta Maidan. Muslims were asked to congregate here after marching through various localities. After listening to speeches by their leaders they would disperse. First aid centres were set up on most roads leading to the maidan. Muslim League legislators were active in distributing arms and forming gangs under professional criminals, so the 'Direct Action Day' programme could have maximum impact. Sharif Khan, a Muslim League member of the Legislative Assembly, personally organised gangs of criminals in his locality and armed them. Sharif was a known gangster and was also known to be the henchman of Suhrawardy. Mohammed Usman, the Muslim League mayor of Calcutta and secretary of the Calcutta Muslim League, visited the Muslim localities of Howrah accompanied by Sharif Khan and incited the local Muslim gangsters and Muslim League storm troopers to violence.

From the midnight of 15 August 1946, Calcutta was shrouded in a fog of dread and hatred. Bands of Muslims took over the streets and by-lanes of Calcutta and the night was pierced by maniacal shouts of hatred, '*Allah-o-Akbar'* and '*Ladh ke lenge Pakistan'*, 'We will snatch Pakistan by the power of our swords' were shouted in pockets of non-Muslim minorities living in the midst of Muslim strongholds. The one feature that is common till today in planned communal clashes in India was also apparent in Calcutta on Direct Action Day—the total absence of the law and order machinery. Criminals ruled the streets and pleas for help and screams for rescue fell on deaf ears.

Shaheed Suhrawardy established himself in the Central Police Control Room which received law and order reports from all over. He took command of the operations and kept the police in check while directing the actions of the marauders using the law and order machinery. On the evening of the 16th, Inspector Wade caught eight Muslims redhanded with a lorry loaded with looted goods; he arrested them and sent them to the police station. Suhrawardy reached the police station even before the looters and ordered their release on his 'personal responsibility'. Finally a complaint was lodged against him with the governor and the chief minister was 'requested' to stay away from the control room. The inferno that was lit on 16 August 1946 continued in the Great Calcutta Killings of 16,17 and 18

August 1946. By mid-day on the 16th, large processions of Muslim hooligans took to the streets armed to their teeth and started marching towards the Calcutta Maidan for the mass rally planned by the League. A European police officer disarmed one procession, which yielded two lorry loads of weapons. But just as the ragtag police force, which was still not ordered back to the barracks by the chief minister, confiscated the weapons from the mobs, the League ministers would commandeer them and redistribute them to the gangs.

While returning from the rally the inflamed mobs attacked the shops and business establishments owned by Hindus, and burnt cars, buses and trams. Pedestrians were stabbed and within hours of the rally the streets of Calcutta were controlled by the League's storm troopers. Now the second phase of terror was launched. Armed mobs shouting pro-League and pro-Pakistan slogans began attacking, looting and ravaging pockets of Hindu and non-Muslim populations. An unrestrained orgy of violence, murder, rape, arson and looting was let loose while the police passively looked on, or in certain cases, actively assisted the marauders.

After two days of Muslim attacks, the Hindu backlash took over and the results were devastating. The Hindus had also armed themselves and organised their bands of 'defenders'; these were the hotheaded storm troopers of the RSS and Hindu Mahasabha, some local and many others brought in from other states.

When the Hindu mobs took to the streets, they singled out the small pockets of Muslim settlements and attacked them with great savagery. The innocent Muslims, who had for centuries lived in peace with their Hindu and Sikh neighbours, were paying the price for the acts of their fanatic co-religionists elsewhere.

Soon Calcutta resembled a slaughterhouse: the stench of decaying bodies filled its streets, human flesh roasted in burning homes, and puddles of blood stained the roads. Bodies of stripped and raped women and young girls were strewn all around. Dead bodies of children and severed body parts were stuffed down manholes, resulting in the choking up of sewage pipes; wastewater began to overflow onto the streets adding to the gruesome mess.

The most common and effective method of attack, adopted by murderers from both communities, was to encircle isolated individual homes or small pockets of people and seal off all escape routes. Then would begin the

systematic looting, slaughter and abductions. The men would be targetted first, slaughtered in front of their families. The mobs would then take articles of use, and set the homes on fire.

Press reports of that period throw light on the horror of Direct Action Day and its aftermath. Kim Christen of the *Statesman* reported: 'I have a stomach made strong by the experience of a war hospital, but war was never like this'. An editorial in the same paper mentioned: 'This is not a riot.... It needs a word found in medieval history, a fury. Yet a "fury" sounds spontaneous and there must have been some deliberation and organisation to set this fury on the way. Hordes who ran about battering and killing with eight foot *lathis,* may have found them lying about or brought them out of their own pockets, but that is hard to believe. We have already commented on the bands who found it easy to get petrol and vehicles when no others were permitted on the streets. It is not mere supposition that men were imported into Calcutta to help in making an impression'.

In the same issue, in an article titled 'Disgrace Abounding', the paper commented: 'The origin of the appalling carnage and loss in the capital of a great province—we believe the worst communal riot in India's history—was a political demonstration by the Muslim League.... In retrospect its conduct before the riot stands open to the inference—not only by political opponents—that it was divided in mind on whether rioting of some sort would be good or bad.... The bloody shambles to which this country's largest city has been reduced is an abounding disgrace, which, owning to the Bengal Ministry's preeminence as a League Ministry, has inevitably tarnished seriously the all-India reputation of the League itself.'

The Great Calcutta Killing, as it came to be known, consumed the lives of more than five thousand people; more than fifteen thousand were reportedly injured and hundreds of thousands became homeless.

The Muslim League had launched Direct Action Day hoping to suppress the Congress and the British administration, and in this they succeeded. They had not expected the severe Hindu backlash, but were able to use this to their advantage. Commenting on the carnage in Calcutta, an unconcerned Jinnah called it a Hindu conspiracy to discredit the Muslim League and the League government of Bengal. He said this violence had demonstrated how dangerous it was for Muslims in India and how essential it was for them to get their own country. He held the Congress, the Cabinet Mission and Gandhi responsible for the tragedy of Calcutta.

Gandhi heard about the Calcutta carnage when he was at Sevagram Ashram. Speaking at the evening prayer on 24 August he asked the Ashramites to think what their duties were in the face of the conflagration which had overtaken the country. 'Let us be humble and confess that we have not got the strength today to meet all the expectations that the people entertain of us,' he said. If they had realised fully the principles for which the ashram stood, they should have rushed into the blaze and offered the purest sacrifice which might have 'conceivably quenched the flames'. A pure sacrifice did not mean 'the thoughtless annihilation of the moth in the flame. Sacrifice to be effective must be ... willing and ... made in faith and hope, without a trace of ill will or hatred in the heart.... There is nothing that such sacrifice cannot achieve.'

In the Calcutta carnage he read the challenges that freedom would bring to the people of India. 'We are not yet in the midst of civil war. But we are nearing it', he wrote in a series of editorials in the *Harijan.* 'At present we are playing at it.... If the British are wise, they will keep clear of it. Appearances are to the contrary'. The hour had come for the people to make their final choice between Pax Britannica and freedom. He predicted that the British authorities, having decided to quit, would show greater weakness. 'The parties will find that it is ... a broken reed'. If the fratricidal strife extended to the whole of India and it was the British gunpowder that kept the two from stabbing one another, he warned, the inevitable result would be that: 'The British Power or its substitute will be in possession of India for a long time to come. The length will be measured by the period required by the parties coming to sanity. It will come either after an exhausting mutual fight, independent of the foreign element or by one party eschewing violence in spite of the heaviest odds. Let Hindus and Muslims ... realise that if India is to be an independent nation, one or both must deliberately cease to look to British authority for protection.... My advice is Satyagraha first and Satyagraha last....'

After the rejection of the Cabinet Mission's plan by the Muslim League and their call of Direct Action Day, the British Cabinet instructed the viceroy to invite the Congress to form a national interim government which would replace the Viceroy's Council. Nehru, recently appointed president of the Congress, was invited to take charge as vice-president and to form a government of his nominees to be sworn in on 2 September. Jinnah declared that the Muslim League would boycott the interim government and would

observe the 2nd as a day of protest, staging a black flag demonstration outside the Delhi Secretariat. This was a green signal to Muslim Leaguers to again go on a rampage. This time they targeted those whom Jinnah called traitors and hated virulently—nationalist Muslim leaders who supported the Congress. Sir Shafat Ahmed Khan, a nationalist Muslim who had accepted Nehru's invitation to join the interim government, was stabbed by Muslim League fanatics and left for dead by the roadside in Simla. Shafi Ahmed Kidwai, brother of Rafi Ahmed Kidwai, a nationalist Muslim minister in the U.R provincial government, was murdered in Mussoorie.

Calcutta continued to smoulder and there was violence throughout August, September and October. The Muslim League was happy with the unfolding events. When the plight of Hindu victims was highlighted, they called it a conspiracy to malign the League, and when the Hindus hit back they would use it to buttress their demand for Pakistan. Meanwhile, the RSS and the Hindu Mahasabha used the attacks on Hindus to consolidate their hold on the Hindu community. They claimed to be their protectors and recruited new cadres. They instigated them to slaughter innocent Muslims and intimidate the survivors.

On 2 September, the Congress ministers took oath of office with Gandhi's blessings who had returned to Delhi and was again staying at his camp in a tenement of the Harijan Colony. In the early hours of the morning, he scribbled a short message for the members of the new government to remind them that they must not forget to redeem the pledges which they had made when the Congress was in the wilderness. His 'instrument of instructions' was brief and included this sentence: 'You have been in my thoughts since the prayer. Abolish the Salt Tax. Remember the Dandi March. Unite Hindus and Muslims. Remove untouchability. Take to Khadi'.

While addressing the gathering after the evening prayer, Gandhi spoke at length about the significance of the day and the responsibilities that came with it. He added that India had long waited for this and called it a red-letter day in the country's history. He congratulated the British government for having resolved an age-old issue by peaceful settlement.

Gandhi wanted to return to Sevagram Ashram as soon as the interim government was installed but the newly sworn in ministers prevailed upon him to stay in Delhi and guide them. And so he stayed on in Delhi through the hot September month when the city is prone to dust storms and

sweltering heat. Watching all that he had fought for frittered away, corrupted and destroyed, unfortunately by those whom he had trusted the most, Gandhi prepared himself to face the storm which his unfailing instinct had warned him about.

While the political scenario in Delhi was becoming more and more complex, the newly appointed Cabinet found that they were systematically being obstructed in their work by the colonial administration. Wavell was still desperately trying to woo Jinnah to get him to participate in the interim government. He asked the Congress to keep some of the Cabinet posts vacant for the League. One of the posts he wanted to retain for his favourites was the Home ministry. This almost lead to the resignation of the Congress ministry; Patel had always made his preference for the Home ministry known, asking him to vacate it was akin to asking for his resignation. But hanging on to their favourite ministries cost the Congress, and subsequently the nation, dearly. It was thus that the Finance ministry fell into the lap of the Muslim League. The Congress had given the treasury of the nation into the hands of a party which wanted to break the nation at any cost. The harassment that the Congress ministers subsequently faced was one of the reasons for their ultimate capitulation on the issue of the partition of India.

After the interim government was sworn in, Wavell's partiality towards the League became very apparent; he kept cajoling Jinnah to agree to join the interim government and kept entertaining their demands. Finally, Gandhi expressed the opinion that the time had come when the viceroy needed to be counselled by a more competent constitutional expert. This mildly worded advice was an undisguised hint that the soldier-diplomat was lacking in constitutional legalities. After prolonged negotiations and many concessions, the Muslim League finally agreed to be a part of the government.

Events, meanwhile, were unfolding rapidly in other parts of the country. The ghost of Direct Action Day was coming back to haunt the nation. As the Muslim League joined the interim government, the first reports about the horror unleashed in Noakhali, the marshy district of Bengal, started trickling in. The reports were several days late, but when they were publicised they horrified the entire country. The Muslim League had systematically carried out a vicious campaign in the interiors where Muslim majorities existed: Hindus were depicted as enemies and the Muslim

populace was exhorted to prepare to get Pakistan by force. Several inflammatory pamphlets and a map of 'Pakistanised' India were widely circulated. India was renamed 'dinia', the land of believers, and was divided into half a dozen 'stans'— Faruqistan, Osmanistan, Bangistan, and so on. Pakistan was shown sprawling across the west, east and south. Hindustan was shown as a tiny patch in U.P, and the rest of the land was depicted as corridors linking the various units of Pakistan. The seas surrounding India were 'Pakistanised' too. Through fantastic theories and fiction, the existence of Pakistan was linked with the Atlantis legend. The Muslim National Guards were reorganised and armed and preparations for avenging Calcutta were on a military footing. Reports of lawlessness and near anarchy in eastern Bengal appeared in the newspapers with alarming regularity. A letter published in the *Statesman* of 12 September, ostensibly written by a Muslim said: 'When I was travelling on August 14 [two days before the Direct Action Day], I saw some Muslims freely selling long knives at the railway stations. When after the events at Calcutta I was again travelling by train on August 26, a Muslim gentleman occupied a first class compartment next to my second class. At every stop he incited the Muslims to butcher the "*Mirjafri*" [traitors] non-League Muslims and Hindus alike and illustrated this advice by gestures, the fanatic was a high ranking Leaguer'.

Kamini Kumar Dutta, a member of the Legislative Council from Comilla in East Bengal, issued a press statement, published in the *Amrit Bazar Patrika*, 19 September 1946: 'What has alarmed us and the minority community in East Bengal, is the perilous, narrow margin which now divides order from anarchy in East Bengal. Muslim League propagandists are spreading exaggerated stories of alleged brutal atrocities said to have been committed by the Hindus upon the Muslims in Calcutta and this propaganda ... is making the situation perilous to maintenance of law and order. To our knowledge a highly placed Muslim Official was heard declaring that thousands of dead bodies will be seen ... strewn over the country in no time. Once there is a large scale outbreak in any part of East Bengal, conflagration will spread throughout'. Another report in the *Statesman* dated 30 September said: 'Life and property are unsafe in Eastern Bengal. Gangsters operate on railway lines, stop trains at places of their choice, rob and carry away the booty by boats or bullock carts before the news reaches the next station'. Shaheed Suhrawardy, the premier of Bengal, admitted that his government was aware of the situation in eastern Bengal.

'Yes, I have seen reports of this unfortunate communal tension in East Bengal. We must all deplore it,' he said. But the government did nothing.

Pyarelal wrote in *Mahatma Gandhi: The Last Phase* Part I, Vol. 13: 'The Frankenstein of communalism had burst its bonds but its keeper's concern was not that it had escaped but that its first performance was not up to the mark'.

Gandhi's intuition had proved accurate. The fires of violence had been lit. Only time would tell how much of the country it would consume before it was brought under control.

NOAKHALI BURNS

Noakhali lay in one of the most remote and inaccessible parts of the Gangetic delta; in the southwestern part of the Chittagong Division in East Bengal, now known as Bangladesh. It is crisscrossed by an intricate network of canals called khals. These waterways were the only means of transport; land transport was mainly over narrow footpaths and shanko, small rickety bridges built of bamboos over the khals. The region experienced heavy rainfall and messages would take long to reach the authorities. The soil was fertile with an abundance of coconut and betelnut palms, which formed a canopy through which sunlight struggled to penetrate. Banana, papaya, litchi, pineapple, citrus fruits and mangoes grew in abundance. The water bodies teemed with fish. But behind the enchanting facade lurked danger. The hamlets were widely scattered and isolated from one another by thick jungles, fields of tall jute and countless water canals.

East Bengal also had its share of economic divisions, which led to resentment. The Muslim majority largely comprised poor artisans and impoverished farm labourers, while the Hindu minority had educated middle class, rich traders and zamindars. Thus there was also an economic angle to the already vitiated religious situation that lead to what was, till then, one of the most brutal, systematic and planned communal massacres.

It started on 10 October 1946. But for nearly a week there were no reports of the calamity in Noakhali. The first reports of disturbances in East Bengal were released to the press by the Bengal Press Advisory Committee on 14 October: 'Reports of organised hooliganism in the district of Noakhali have reached Calcutta. Riotous mobs with deadly weapons are raiding villages, and looting, arson and murder are continuing since ... October 10,

on a very large scale. Forcible mass conversion, abduction of women and desecration of places of worship are also reported. Areas affected so far are reported to be over 200 square miles of the Sadar and Feni sub divisions. Approaches to the affected areas are being guarded by armed hooligans.

'Among the large number of people reported to be murdered or burnt alive are the president of the District Bar with family, and a prominent *Zamindar* of the district. Inquiries at official sources in Calcutta revealed that the Military and armed police have been rushed to the affected areas, which comprise the entire Ramganj, parts of Begamganj, Lakshmipur, Raipur, Senbagh, Feni, Chagalanaiya and Sandwip *thanas.'*

Another message informed that all movement to and from the affected areas were being closely guarded 'by hooligans, armed with deadly weapons'. The telegram also referred to 'the planned organisation behind this terrible carnage, arson and loot'. After a show of concern over the planned calamity executed by him and his party, Suhrawardy pleaded his inability to visit the affected areas since he had to rush to Darjeeling where the governor was holding a Cabinet Meeting. 'It seems odd,' commented the *Statesman* on 18 October, 'that, despite evidence of administrative breakdown in a part of the Province for weeks notoriously menaced by just this sort of catastrophe, there should have been no movement yet of Governor or Chief Minister to the point of catastrophe. The one remains in Darjeeling, the other has gone to join him there'.

Within ten days the trouble spread to the northern parts and the neighbouring district of Tipperah. A reporter from the *Statesman* mentioned that for thirteen days 'about 120 villages in Ramganj, Lakshmipur, Begamganj and Senbagh *thanas* in Noakhali district, with a population of 90,000 Hindus and nearly 70 villages in Chandpur and Fraidganj *thanas* in Tipperah district, with a Hindu population of about 40,000 remained besieged by hooligans'. Inspector-General of Police, Taylor, stated that the hooligans 'were armed with guns and various types of other weapons and they were still defiant and not afraid to face the police and the military'. As the mob proceeded 'they cut telegraph wires, demolished bridges, dammed canals and damaged and barricaded roads, making ingress and egress to and from the invaded localities impossible'.

The newly elected president of the Congress, Acharya Kripalani, accompanied by Sarat Chandra Bose and other Congress leaders, flew over the affected areas on 19 October. The plane flew at almost tree-top level to

enable the leaders to get a clear view of the situation on the ground. They saw a mob demolishing a bridge, while groups of people could be seen gathered at strategic places. The chief minister, who flew with the group on their return, did not seem to be moved by the plight of his people; he was busy taking photographs of the burning villages.

A picture of what was happening in the remote districts of eastern Bengal was soon emerging from reports of various official, unofficial and press sources. The Military Intelligence Branch in New Delhi received despatches according to which an ex-member of the Bengal Legislative Council, Mian Ghulam Sarwar, was the kingpin of the riotous mobs. He had systematically carried out a propaganda of hate; had provided arms and monetary inducements to the rampaging mobs, and was still spearheading the campaign against the Hindus in the districts of Noakhali and Tipperah. The authorities claimed that a warrant had been issued for his arrest but he had gone underground, while local eyewitnesses claimed that Sarwar was still actively leading the campaign of genocide.

Some villagers did manage to escape, either by buying their way through or with the help of their neighbours. These refugees from the affected districts began arriving in Calcutta and other safe places in western Bengal and Bihar, carrying horrifying stories of the devastation. The country suddenly woke up to the situation in Noakhali. Now the Hindu fanatics got into the fray: cries for vengeance were heard at every shakha of the RSS and Hindu Mahasabha. The revenge-seekers were not going to the rescue of their co-religionists in Noakhali, but were headed for Bihar and Calcutta to wreak vengeance on the unsuspecting Muslim population there. But this was still some time in the future.

What happened in Noakhali can be illustrated by a couple of accounts by the survivors. A young girl, the sole survivor of a well-known family from a village in Noakhali under the Ramganj police station, narrated the incident where her whole family was slaughtered. On the morning of 11 October, she said, a group of village people came to their house and threatened that if the householders did not contribute Rs. 500 to the fund of the local Muslim League, they would be murdered, their property looted and their houses burnt. The money was immediately paid. After a short while, a huge menacing crowd surrounded the house. One of the members of the family tried to pacify the mob, but before he could utter a word the leader wielding a dao, a heavy curved long knife, beheaded him. Then they attacked the

eldest man in the house. After butchering him they seized his second son and placed him on the body of his father. His hysterical mother threw herself on her son and pleaded with the mob to spare him. The men beat the woman till she fainted and then attacked the son. The girl rushed out, clutching Rs. 400 in cash and gold ornaments, hoping to buy her father's life. The leader snatched the money and ornaments from the girl and chopped off her father's head.

An editorial in the *Statesman* published on 25 October commented: Arson, looting, murder, abduction of women, forced conversions and forced marriages, are everywhere and by every investigator spoken of as the characteristics of the lawlessness. After the Calcutta catastrophe of August, there had been ample cause for strong precautions particularly on that very part of the map where renewed catastrophe has now occurred. Arrests of the miscreants seem to have been few. Energy has been miserably wanting somewhere'. Referring to the plea that a complete breakdown in communication was a major factor leading to a delay in restoring law and order, the report further added: 'It is not an adequate explanation for the public mind. It is bad country, but the hooligans manage to move about and the police have the general public to help them with information, they are not operating in Japanese occupied country during the war time'.

Muriel Lester, the English pacifist, was in India at that time. On hearing about the catastrophe, she rushed to establish a relief centre in Noakhali. She sent back a report in the first week of November which was published in the *Hindustan Standard* on 6 November, which said: 'The worst of all was the plight of the women. Several of them had had to watch their husbands being murdered and then be forcibly converted and married to some of those responsible for the killings of their husbands and family. These women had a dead look. It was not despair, nothing so active as that. It was utter blankness.... The eating of beef and declaration of allegiance to Islam has been forced upon many thousands as a price for their lives.... Perhaps the only thing that can be quite positively asserted about this orgy of arson and violence is that it was not a spontaneous uprising of the villagers. However many *goondas* may live in Bengal, they are incapable of organising this campaign on their own initiative. Houses have been sprayed with petrol and burnt. Who supplied this rationed fuel? Who imported stirrup-pumps into this rural area? Who supplied the weapons?.... The *goondas* seem to think that they really are the rulers of this beautiful area of

Bengal. One sees no sign of fear among those who had stood by and watched destruction, tyranny and aggression; anxiety as to the future punishment does not seem to exist'.

'Shah Sayed Ghulam Sarwar Hussaini, Pir Saheb of Daria Sharif, village Shampur, Noakhali', as he was known among his followers, became the de facto dictator of Noakhali. He initiated some of the most barbaric attacks and massacres in the region. One of the thorns in his flesh was Rai Saheb Rajendralal Chowdhury of Chowdhurybadi, Karpara, president of the Noakhali Bar Association who had organised local defences against the growing lawlessness and thus earned the wrath of Sarwar. A few days prior to the outbreak of violence, a hermit from Bharat Sevashram, Trayambakananda, had come to Chowdhurybadi and stayed with Rai Saheb. The sadhu wanted to revive the practice of sitala puja in Hindu badis, households. The puja was performed by anointing the idol of the goddess with the blood of a freshly sacrificed goat. However, a rumour spread throughout the surrounding villages that the blood of a Muslim would be used at the next puja. On hearing this, Sarwar was a like a man possessed.

On the morning of the 10th, Sarwar summoned Rai Bahadur; but suspecting foul play, the latter refused to go. At 8 am that same morning, Sarwar addressed a mob of several thousand gathered in Shampur Bazaar, and declared that he wanted the heads of Rai Saheb Rajendralal of Karpara and Sadhu Trayambakananda. He instigated the mob and let them lose in the bazaar. All the Hindu shops in the bazaar were looted and burnt and a temple was completely ravaged. The mob now divided itself into three gangs and went off in different directions. One group attacked Ramganj Bazaar, the other went towards Dasgharia Bazaar and destroyed the Thakur Mandir there. The third group attacked the kachcheheri, office, of Suren Bose, zamindar of Narayanpur. Suren Bose had been warned by a local police officer of the danger and advised to flee to safety that very morning, but he refused, saying, 'I do not want to leave my brethren behind.... I must ... face death with them'. When the mob reached his house he opened fire on the mob, but he was soon captured and hacked to death, along with five other members in the house. The house was then set on fire and the bodies were thrown into the inferno.

The next morning, on the 11th, at about 8 am, Chowdhurybadi was attacked by a gang of forty to fifty rioters shouting 'Allah-o-Akbar', and in

Bengali 'Hindur Rakta Chai', 'we seek the blood of Hindus'. Chowdhury was well prepared for an attack. He along with his son and some young men of the badi confronted the mob some distance away from the main house. In the fight that ensued three or four attackers were killed, and the rest fled. But within a few hours they returned, accompanied by a ten-thousand strong mob armed and baying for the blood of the Chowdhurys. Rajendralal's family members and other residents took refuge on the roof and barricaded themselves. One of his bodyguards, Kali Prasanna Raut, had positioned himself on the roof and opened fire, killing nearly thirty to forty attackers. When the firing ceased, the attackers returned and set the house on fire. The men were stripped, stabbed and tied to trees. Then in full view of their families, they were hacked to death. Rajendralal was led to the backyard where he was forced to lean over a butchering block. His head was severed and triumphantly presented to Ghulam Sarwar. The women were led to different locations and molested. Some of them were brought back and given shelter in a neighbouring badi. Rajendralal's wife and a group of other women took refuge in the badi of one his Muslim servants, from where they were rescued on 18 October by Abdul Gofran, the minister of Civil Supplies.

Two daughters of the Chowdhury family were abducted by a gang of ruffians. They were taken to the Shahpur high school and repeatedly gang-raped. One of them was then taken to the still burning Shahpur Bazaar, murdered and her body thrown into the raging inferno. The other one escaped, lost her way, and after pleading with strangers for help was directed by a kind Muslim shopkeeper to Rajbadi in Shahpur, where she took refuge with a Hindu family. Her abductors surrounded the home and threatened them with death if they did not hand over the girl. The terrified hosts pushed the girl out into the hands of her abductors. Finally one of them, a Muslim teacher, showed mercy and took her away. He betrayed her later, however, and kept her confined. She was taken out in a boat into a flooded rice field and murdered near Khalispara, a village about half a mile from Shahpur Rajbadi. The corpse was thrown into the water to rot.

The attack on the Chowdhurybadi resulted in the deaths of twenty-four people, sixty-nine were wounded and ninety-three were reported missing, feared dead. A five-year-old girl of the Chowdhury family, who had miraculously escaped, was presented before Gandhi when he took up residence in Dattapara refugee camp.

The mysterious Trayambakananda, according to his own version, escaped from Chowdhurybadi after the first attack and hid in the surrounding forests. Making his way through the khals and jungles he reached Ramganj, and with a police escort reached Noakhali and then onwards to Calcutta. There he became an instant hero, revelling in the attention showered on him while revealing details of his escape.

The charred barrel of Kali Prasanna Raut's muzzle-loader was picked up from the debris of the Chowdhurybadi by one of the looters and was used to create mischief two years later in 1948, after Gandhi's murder. One of Ghulam Sarwar's men planted the barrel in the camp run by the Gandhi Peace Mission, which was under the charge of Pyarelal Nayyar. The idea was to spread the news that a weapon used to massacre Muslims was found in the camp, thus pressurising the authorities to close down the camp and drive out the Gandhians. The allegations against the Gandhi Peace Mission were investigated by a minister of the East Bengal government. A local Muslim revealed the plot.

A day after leading the massacre at Shahpur Bazaar and Chowdhurybadi, Sarwar sent a report to the authorities that 'goondas from outside' were responsible for the carnage and that the lives of people were in danger. He provided relief from the loot accumulated by his gangs to his victims, who having been forcibly converted to Islam, were now considered a part of his flock. Sarwar was finally arrested by the military on 22 October.

A notable case of forced conversion was that of Harendra Ghosh, secretary of the Congress Committee of Raipur. After escaping the attack on his village, Harendra took refuge with two Muslim workers who agreed to spare him if he converted to Islam. When Harendra finally consented, a pamphlet was produced and he was made to sign it. On 15 October, Harendra was taken to a mosque at Raipur and confined there. Here he was made to sign another pamphlet, which was printed in the local press and circulated amongst Hindus to convince them to convert. He was confined in the mosque for twelve days. In his written statement to Gandhi later, Harendra recounted his days of horror: 'My daily food was beef and rice, which I was forced to eat. I was taught namaz and had to give lectures on Fridays in front of thousands of Muslims on Islamic creed and culture. Among the leaders who took part in this barbarity and met daily in the mosque morning and evening to issue directions to the gangs of murderers

and arsonists were a local member of the Legislative Assembly, secretary of the Thana Muslim League, two secretaries of the Union Peace Committee, two presidents of Union Boards and a zamindar, landowner'.

The local Harijans too were not spared, even though Jinnah tried to win them over by successfully getting the Congress classified as a 'caste Hindu' organisation and then nominating a Harijan from Bengal as a member of the interim government from the Muslim League's quota. In Noakhali, only those who converted were spared.

However, there were instances of the two communities helping each other. At Bhatialpur, a Muslim stood between a Hindu doctor and a mob out to kill him. He finally managed to save Dr Chandrashekhar Bhowmik, who later joined the Gandhi Peace Mission and served as a translator for Pyarelal Nayyar. The same Muslim later saved Pyarelal Nayyar, who was once waylaid by a gang while he was rushing to diffuse a volatile situation in a village under the jurisdiction of his peace camp.

In Delhi, Gandhi was troubled by the events in Bengal and the repercussions it would have all over the country. He knew that India would only survive if Hindus and Muslims lived amicably. Day after day he pleaded for sanity to prevail, first from Sevagram and then from his camp in New Delhi. On 24 October, just as the evening prayers were about to commence in the courtyard between Valmiki temple and the rooms occupied by Gandhi, a band of RSS workers disrupted the meeting and refused to allow verses from the Koran to be recited. They pushed through the audience and advanced towards the spot where Gandhi was sitting, holding anti-Muslim placards and shouting slogans. It was later revealed that Narayan D. Apte and Nathuram Godse were part of this group.

In consultation with Nehru and Patel, Gandhi decided to leave for Calcutta en route to Noakhali on 28 October. At the prayer meeting on the 28th, Gandhi said he was going to Bengal to try and bridge the gap between the two communities. He wanted to console the women and children. He also wanted to try and meet the governor and the chief minister, and then proceed to Noakhali. The next morning he left with a small band of handpicked followers.

PEACE PILGRIM

Gandhi was travelling on this route after a gap of thirteen years and thousands of people thronged the stations to catch a glimpse of him. The

railway authorities tried every means at their disposal to disperse the crowds, even using improvised water cannons to drive them away.

While he was journeying towards Calcutta, Bihar erupted. Hundreds of refugees from East Bengal had reached the north-eastern parts of Bihar. Stories about the plight of Hindus in Noakhali incited the Biharis and fanatical Hindus from all over India, who chose to inflict their revenge on the Muslims in Bihar. Bihar was a predominantly impoverished agrarian state; villages and settlements are systematically divided on lines of religion and caste. The Hindu hordes identified isolated Muslim settlements and villages and efficiently annihilated scores of such settlements, not sparing even a single inhabitant. The violence rapidly spread to the larger towns, and finally to the capital Patna, within a week.

On reaching Calcutta, Gandhi and his group were taken directly to Satish Chandra Dasgupta's Khadi Pratishthan Ashram at Sodepore. A gathering of several hundred people had been patiently waiting for Gandhi. Addressing them, he said that he had come with a blank mind to do God's will.

Suhrawardy suffered from delusions of grandeur. He had styled his office on the lines of the private courts of Mughal emperors, and received guests into his court, stretched out on a mattress. He made no exception for his meeting with Gandhi. 'How is it Shaheed Saheb, everybody calls you the chief of the criminals? Nobody seems to have a good word to say about you!' Gandhi said. In response, he had replied with impudence, 'Mahatmaji, don't people say things about you, too, behind your back?'

'That may be,' replied Gandhi laughing. 'Still there are some who call me Mahatma. But I have not heard a single person calling you, Shaheed Suhrawardy, a Mahatma!' Suhrawardy shamelessly replied, 'Mahatmaji, don't believe what people say about you in your presence!'

With this opening the two sat down to hammer out a peace plan for Bengal. The document that emerged envisaged a peace maintained by mutual cooperation and trust without the fear of external force or under duress of the British. The Muslims and Hindus would be equally responsible. The government of Bengal would guarantee the peace, 'a peace not imposed from without by the aid of the military and the Police but by spontaneous heart-felt effort... it is our certain conviction that Pakistan cannot be brought about by communal strife nor can India be kept whole through the same means. It is also our conviction that there can be no conversion or marriage by force; nor has abduction any place in a society

which has any claim to be called decent or civilised.' A committee comprising an equal number of Hindus and Muslims would be formed under the chairmanship of the chief minister, who gave a guarantee that his government would implement the decisions of the Peace Committee.

Meanwhile, Nehru, Patel, Liaquat Ali Khan and the infamous Sardar Abdur Rab Nishtar rushed to Patna to take stock of the situation and defuse it at the earliest. They assured Gandhi that they would bring Bihar back to normalcy, but their assurances proved to be futile; the poison had spread rampantly. It could only be countered by Gandhi's methods. Before leaving for Noakhali, Gandhi informed his associates and the people of India that he would henceforth consume only the barest minimum food necessary to survive and if things did not change in Noakhali and Bihar he would give up food totally until peace was established. To Nehru he wrote: 'The news from Bihar has shaken me. My own duty seems to be clear.... Although I have striven hard to avert a fast, 1 can do so no longer.... My inner voice tells me, 'you may not live to be a witness to this senseless slaughter. If people refuse to see what is clear as daylight and pay no heed to what you say, does it not mean that your day is over? The logic of the argument is driving me irresistibly towards a fast. I, therefore, propose to issue a statement that unless this orgy of madness ceases, I must go on a fast unto death.... You can strive with me, if you think differently. Whatever you say will carry weight with me. But knowing as you do my temperament, I am sure you will approve of my proposed step. In any event, you will go on with your work without a moment's thought about my possible death and leave me to God's good care. No worry allowed.'

Before leaving for Noakhali he issued an appeal addressed to the people of Bihar, entitled: 'To Bihar': 'Bihar of my dreams seems to have falsified them.... It is easy enough to retort that things under the Muslim League Government in Bengal were no better, if not worse, and that Bihar is merely a result of the latter. A bad act of one party is no justification for a similar act by the opposing party.... Is counter communalism any answer to the communalism of which Congressmen have accused the Muslim League? Is it nationalism to seek barbarously to crush the fourteen per cent of the Muslims in Bihar?

'I do not need to be told that I must not condemn the whole of Bihar for the sake of the sins of a few thousand Biharis ... I am afraid, if the misconduct in Bihar continues, all the Hindus in India will be condemned

by the world. I am in no way ashamed of my *Ahimsa*.... But I do not want in this letter to talk of *Ahimsa* to you. I do want, however, to tell you that what you are reported to have done ... is worse than cowardice. It is unworthy of nationalism, or any religion.... What you have done is to degrade yourselves and drag down India.'

On 6 November, Gandhi and his band of peacemakers, accompanied by representatives of the Bengal government, left by a special train for Noakhali. Accompanying him were the Bengal government's minister for labour, Shamshuddin Ahmed, two parliamentary secretaries, Nasrullah Khan and Abdur Rashid; they were entrusted with ensuring the cooperation of the local officers during Gandhi's peace mission to Noakhali. Initially the daughters of both Suhrawardy and Nasrullah Khan were to accompany Gandhi, but the plan was abandoned after Suhrawardy was 'advised' that two unveiled Muslim girls travelling through Noakhali would 'offend' the sensitivities of the fanatical mullahs of Noakhali.

Large crowds greeted Gandhi at Khustia and Goalando, where he told the crowds that the Hindu-Muslim unity that was achieved during the Khilafat Movement of the early 1920s would reawaken in Bengal due to his visit. Goalando was the last stop on the railhead, the onward journey of over a hundred miles would be made by boats down the Padma river. They reached Chandpur late at night where a telegram from Patel was handed over to Gandhi. He wanted to reply to it immediately but none of the phone or telegraph lines were working. The night was spent on the boat anchored in midstream. The next morning the entourage alighted to continue the journey by train to Chaumuhani in Noakhali. Before they disembarked, two delegations waited on Gandhi; one Muslim, the other Hindu. The Muslim delegation comprised prominent Muslim Leaguers who were very resentful about the peace delegation. Their contention was that the news about the happenings in Noakhali were hugely exaggerated and that it was a motivated campaign to tarnish and discredit the Muslim League. They claimed that, in the districts of Noakhali and Tipperah, only fifteen Hindus had been killed, whereas in the indiscriminate firing by the largely Hindu Army, more than thirty innocent Muslims had been killed.

The district magistrate of Noakhali, Mclnerny, had issued an official notice, which was shown to Gandhi. The notice said that, unless, proved to the contrary, he would assume 'that everyone who accepted Islam after the disturbances was forcibly converted and in fact remained a Hindu'. Reading

the notice Gandhi said that if all the Muslims endorsed the notice it would go a long way to settle the question. Why should there be a public show of it, if anybody genuinely felt inclined to recite the kalima? The members of the Muslim delegation had come with prejudiced minds. Thinking that Gandhi would severely reprimand and accuse them they had come prepared with strategies of counter-attacking every accusation and condemnation. But although Gandhi was severe, he did not condemn the entire community. He even objected to the use of the military and police to enforce peace and was critical of the exodus and large scale immigration of the Hindus.

The second delegation that morning was a group of about twenty Hindus, which comprised eminent Congress workers of the area and former revolutionaries who had taken part in the famous Chittagong Armoury Raid. They demanded that the Muslim police officers, constabulary and Muslim members of the military be removed and replaced by Hindus. To this Gandhi said: 'I come from Kathiawad—the land of petty principalities. No woman's honour is safe in some of these principalities and the chief is no hooligan but a duly anointed one.'

And so they argued. The Hindus wanted all sorts of protection. They maintained that since they were in a minority in Bengal, they were not in a position to defend themselves. Gandhi replied that, even if there was only one surviving Hindu in Bengal, he wanted him to possess the confidence and courage to live in the midst of Muslims and die, if he must, like a hero.

'The proportion of Muslims and Hindus here is six to one. How can you expect us to face such heavy odds?'

'When India was brought under British subjugation, there were only 70,000 European soldiers against 330 million Indians.'

'We have no arms. The hooligans have the backing of government bayonets.'

Describing the satyagraha in South Africa, Gandhi gave the example of a minute Indian community rising to demand equal rights from an overwhelming armed European community with all the might of the government. 'The Europeans had arms. We had none. So we forged the weapon of satyagraha. Today an Indian is respected by the White man in South Africa, not so the Zulu with all his fine physique.'

'Would you permit Hindus to take the offensive?'

'The people of Bihar did that and brought disgrace upon themselves and India. I have heard it said that the retaliation in Bihar has "cooled" the

Muslims down. They mean it has set the clock of Indian independence backwards. The independence of India is today at stake in Bengal and Bihar. The British government entrusted the Congress with power at the Centre not because they were in love with the Congress but because they had faith that the Congress would use it wisely and well. Today Pandit Nehru finds the ground slipping from under his feet. But he will not let that happen. That is why he is in Bihar. Use your arms well, if you must, but do not ill use them. Bihar has not used its arms well.... The best succour that Bihar could have given to the Hindus of East Bengal would have been to guarantee with their own lives the absolute safety of the Muslim population living in their midst.'

At the next railway station, Laksham, a large crowd of refugees had gathered to plead their case with Gandhi. He assured them that he would not leave Bengal till peace was restored and added, 'Why should you be afraid of the cry of *Allah-o-Akbar}* The Allah of Islam is the same as the Rama of Hindus. To run away from danger instead of facing it is to deny one's faith in man and God and even oneself. It were better far to drown oneself than live to declare such bankruptcy of faith.'

Gandhi and his entourage reached Chaumuhani on the afternoon of 7 November. Sucheta Kripalani, who had come to the area as a relief provider along with the advance party had extensively travelled in the region, now reported her findings to Gandhi and was disconsolate at what she had witnessed in the interiors. She told him that the peacemakers' task was not going to be easy. There was rot all around; water sources had been polluted due to the rotting cadavers and there was an acute shortage of food grains. Due to the rift in the two communities it was difficult to find casual labourers to do menial tasks. Kripalani reported that a new way of creating mischief had begun to discredit the volunteers—rumours had been spread that he was bringing an army of Hindu criminals, and that the military and police personnel accompanying Gandhi were going to harass and persecute the 'innocent' Muslims. But the rumours did not work. More than 15,000 people came to hear Gandhi speak—and the crowd largely comprised Muslims.

That night the League minister Shamshuddin Mohammad, accompanied by his colleagues and representatives of local Muslims, came to meet Gandhi to discuss ways of bringing about peace in the area. On the morning of 9 November, Gandhi started on his journey into the interior villages of

the district of Noakhali. He was accompanied by the two parliamentary secretaries, the district magistrate and the superintendent of police. A majority of the farmers had been killed in these districts, while others had fled to refugee camps. A fatwa had been issued ordering Muslims not to work for Hindus. A social, cultural and economic boycott of Hindus was enforced in the two districts. In the midst of a bountiful harvest, the districts were faced with a man-made scarcity of food.

Gopairbag was the first village they visited. Here amidst thick groves of arecanut and betelnut palms, were five clusters of huts of Hindu families surrounded by nearly fifty times as many Muslim families. One of the Hindu homes belonged to a rich patwari who had an estate valued at several hundred thousand rupees. This had been the scene of one of the most barbarous massacres, rape, pillage and arson. The patwari's family had been singled out for 'special treatment'; twenty-one male members of the twenty-three had been rounded up and butchered during the first attack. The two survivors who escaped were eyewitnesses to the entire episode. The perpetrator and leader of the massacre was a neighbour, Qasim Ali, an ex-Royal Air Force man, who had been absconding since the attack and no one dared to testify against him.

The next day Gandhi shifted his camp from Chaumuhani to Dattapara, to be able to visit more affected villages in the interiors. That evening he addressed the prayer gathering, where over eighty percent of the people present were Muslims. He said, 'I want to assure you that I am a servant of both the Hindus and the Muslims. I have not come here to fight Pakistan. If India is destined to be partitioned, I cannot prevent it. But I wish to tell you that Pakistan cannot be established by force.... I ask my Muslim brethren to search their hearts and if they do not wish to live as friends with the Hindus, say so openly. The Hindus must in that case leave East Bengal and go somewhere else. The refugees cannot stay on as refugees forever. But even if every Hindu of East Bengal goes away, I shall still continue to live amidst the Muslims of East Bengal. If, on the other hand, you want the Hindus to stay in your midst, you should tell them that they need not look to the military for protection but to their Muslim brethren instead.'

The effects of the partial fast were telling on the seventy-seven-year-old Gandhi. His diet was less than six hundred calories per day. Finally, to conserve his strength, after much deliberation, he allowed himself to be carried to and from the prayer grounds on a chair slung on a bamboo pole

and carried by two members of his party. His voice had become feeble and his face was deeply lined with anguish. But when he spoke there was no trace of anger nor did he become impatient. His speeches were brutally honest, hiding nothing, holding back nothing, suppressing nothing. On 11 November, Gandhi visited Noakhola, Sonachak and Khilpara, all of them under Ramgunj police station. They travelled by car and then by small dugout boats that were poled through the waterways. Noakhola had witnessed the murder of eight members of a Hindu household, including a fifteen-year-old boy. At Sonachak, Gandhi saw that a settlement of more than a hundred households had been systematically looted, burnt and partially razed. The next day, while he was addressing a prayer meeting attended mostly by refugees, a maulvi declared that the Muslims were feeling 'unhappy and even frightened' by the prospect of their Hindu brethren leaving East Bengal. He assured the gathering that the Muslims 'in their thousands' would welcome them back in their midst. Gandhi reminded him that he wanted only sincerity and not empty talk. The return of the refugees was not an easy task, he said, and added that no scheme of repatriation would work unless the Muslim League sincerely cooperated.

After visiting Gomatoli and Nandigram, the first phase of the pilgrimage through Noakhali was completed. The next phase was to be a new experiment in the armoury of ahimsa and its most dexterous exponent. The same devastation greeted Gandhi at Nandigram: a village of nearly six hundred homes, a school, hostel and hospital had been reduced to ashes. On 14 November, Gandhi shifted his camp from Dattapara to Kazirkhil, moving into the heart of the devastated areas. On the way he stopped at Shampur, the epicentre of the violence. Shampur was the stronghold of the self-styled supreme commander, Mian Ghulam Sarwar. Before Gandhi's arrival, Sarwar had spread a rumour that the Mahatma was accompanied by a large posse of police and his entourage comprised plainclothes police who would utilise the planned public meeting to identify and arrest Muslims. This lead to a semi boycott of the meeting by the local Muslims.

At Kazirkhil, Gandhi's camp was set up in the partially destroyed home of a prosperous local Hindu. An advance party of volunteers had cleaned the place and made it habitable. Speaking after the evening prayers, Gandhi observed that he found peace around him but not on the faces of the people around. He had carried on a grim struggle against the government for twenty years in South Africa and for the past thirty years in India. But he

had resolved not to leave Bengal empty-handed. Four miles to the south-east of Kazirkhil was the village of Dasgharia. Bibi Amtus Salam, a devout Muslim woman follower of Gandhi and an inmate of his ashram, had established a relief camp here. Practically all the abducted women who had been forcibly converted to Islam had been rescued due to her efforts. One positive transformation that Gandhi's peace mission brought about in Noakhali was that, before long, all those who had been forcibly converted were able to revert to his or her original faith. Gandhi then decided that he would disperse his band of peacemakers. Each one would be sent to one village where they would establish camps for rehabilitation and peacemaking. He told them that this was the supreme test of his faith in ahimsa. 'Either ahimsa is the law of life or it is not.' He recalled how a friend used to argue with him about his belief in ahimsa. He would say that the ahimsa sutra in Patanjali's *Yoga Sutra—Ahimsa pratishthayam tatsannidhau vairatyagah* (all enmity vanishes in the presence of perfect ahimsa)—was wrong and needed to be amended; and the saying *ahimsa paramodharmah* (non-violence is the highest religion) ought to read *ahimsa parmo-adharma,* (nonviolence is the height of irreligion). Gandhi believed that if at this crucial moment he lost his faith in non-violence, he must accept the amendment, adding that if 'ahimsa disappears, Hinduism disappears.'

One of the members of his party remarked, 'The issue is not religious but political. It is not a movement against the Hindu but against the Congress.'

Gandhi replied saying, 'Don't you see they think that the Congress is purely a Hindu body? And do not forget that I have no watertight divisions such as religious, political and others. Is the tangle to be solved violently, or non-violently—that is the question.' In a letter to a friend he wrote: 'The work I am engaged in here may be my last act. If I return from here alive and unscathed, it will be like a new birth to me. My ahimsa is being tried here through and through as it was never before.' Gandhi declared that for the duration of his stay in East Bengal he would live in the home of a Muslim, preferably a Muslim Leaguer approved by the Bengal ministry. During his talks with Abdul Gofran he made the request, but the minister was taken aback. How would he live in the house of a complete stranger? Who would look after him? 'I will look after myself; I shall need nobody's attention,' Gandhi replied.

'Then, I am afraid,' Gofran replied, 'no Muslim family will be prepared to receive you!' But Gandhi's mind was made up. He knew that if the Hindus saw him living alone with a Muslim League friend; it may bring about a change of heart. The Muslims, too, would be able to examine him from close quarters. 'When I was in detention in the Aga Khan Palace,' he remarked, 'I once sat down to write a thesis on India as a protagonist of non-violence. There are, as we know, two aspects of Hinduism. On the one hand is the historical Hinduism with its untouchability, superstitious worship, animal sacrifice and so on. On the other hand, we have the Hinduism of the *Gita,* the *Upanishads* and Patanjali's *Yoga Sutra,* which is the acme of ahimsa, oneness of all creation, pure worship of one Immanent, formless, imperishable God. Ahimsa, I believe, is the way of life and India has to show it to the world.'

On 20 November, Gandhi took leave of his entourage. Accompanied by his stenographer and Professor Nirmal Kumar Bose, who doubled as his interpreter, they embarked in a canoe made out of split bamboos. In a statement Gandhi said: 'I find myself in the midst of exaggeration and falsity. I am unable to discover the truth. There is a terrible mutual distrust. Truth and *ahimsa* by which I swear, and which have to my knowledge sustained me for sixty years, seem to fail to show the attributes I have ascribed to them. To test them, or better to test myself, I am going to a village called Srirampur, cutting myself away from those who have been with me all these years, and who have made life easy for me.... The other workers, whom I have brought with me, will each distribute themselves in other villages of Noakhali to do the work of peace, if it is at all possible, between the two communities.... Many friends from outside Bengal have written to me to allow them to come for peace work but I have strongly dissuaded them from coming. I would love to let them come if and when I see light through this impenetrable darkness. In the meantime.... I have decided to suspend all other activities in the shape of correspondence, including the heavy work of *Harijan* and the allied weeklys....'

After travelling for two and a half hours down the khal, the canoe docked at Srirampur, a tiny village falling under the Ramgunj police station. Gandhi alighted from the craft and carried his personal effects to the small tin hut that had been arranged for his stay. The hut was an abandoned dwelling of a Hindu family that had fled during the riots. Before the violence, Srirampur had been home to 382 Muslim and 200 Hindu families.

Now only three Hindu families remained, the rest had fled in terror. Gandhi spread his mattress on a wooden plank, which was to be his bed at night and office during the day for the next six weeks. He arranged his books and writing material and other personal paraphernalia neatly in the room. The hut was in the midst of a clearing, surrounded by pools and lush green paddy fields.

For the past few years Abha, Gandhi's grand-niece-in-law, had been taking care of him, and he had come to depend on her services. She had accompanied him to Noakhali too, but he had assigned her to work in a rehabilitation camp established by Thakker Bappa in the Char Mandal area of Noakhali district. 'I must own that I was getting accustomed to her service almost as a matter of habit,' he wrote. 'But the habit of taking service from a particular individual is inconsistent with austerity.' His daily diet here consisted of a pound of goat's milk diluted with an equal volume of vegetable soup as the mid-day meal. For dinner he had the same combination with the addition of a grapefruit.

We can get an idea of his daily activities in Srirampur from his diaries which have excerpted from Pyarelal's book.

Srirampur, 21st November, 1946

Conducted the Morning Prayer myself with the exception of the Gita chapters. After prayer wrote letters to X.Y. and Z.A Maulvi attached to the Howrah Mosque [Noakhali] had a talk with me during the morning walk. A. and B. [two Hindu workers] came afterwards and had a long talk. Told them that people had to take their courage in both hands and return to their villages, especially where there is a good Hindu with a good Muslim to give guarantee of safety and protection....

Massaged the body with my own hands but had to forgo a shave [for lack of time]. Had curdled milk with vegetable soup for mid-day meal. Some Muslims... saw me before the evening prayer; some more followed after the prayer. Made enquiries about local Muslims.... Had a two hour talk with M. and his friends. Diet the same as yesterday but without the Grapefruit.

Srirampur, 22nd November, 1946

Rose at 4 am. The *Gita* recitation took two hours. Pronunciation of the reciter was very unsatisfactory.

Wrote to R. that his son [who recently lost his wife] should not remarry, or marry a widow if he must.

Visited a Muslim *badi* at 7.30 am. The way was long. It took a full 20 minutes to get there—55 minutes coming and going.

Gave myself massage like yesterday.... At 10.30 a number of visitors came. After they had gone, had a short nap with mud-pack on the abdomen. Spun for one hour. Abdullah [the superintendent of police] with some others came for the meeting at Ramgunj in the evening. Started at 4 pm with them for Ramgunj. Reached Ramgunj at 5.20 pm. The meeting continued till 10.30 pm. Addressed a few words at the end.... Had evening prayer on the boat on the return journey and then some sleep. Had milk while proceeding to Ramgunj; hot water on return. Reached Srirampur at midnight.

Srirampur, 23rd November, 1946

Recited the *Gita* chapters [during the morning prayer] also myself. In future R is to recite the *Gita* only when he has sufficiently mastered the pronunciations. Had an English hymn sung at the prayer.

Completed the statement on the death of Malaviyaji. Visited a Muslim house at 7.30 am talked about the Koran to the inmates. Later they sent a present of Coconuts and Oranges.

Massage was given by N. so that I was able to have a forty minute nap on the massage table. Leafy vegetable served at mid-day was very bitter. Took it with 1 oz. of coconut milk ... next unsuccessfully tried to have a doze of sleep—nausea and griping. Dozed off with mud-pack on the abdomen while proceeding to Ramgunj.... Had to stop the boat on account of violent diarrhoea and vomiting ... felt relieved.... Reached Ramgunj at 5 pm. Had another motion during the recess but was able to address the meeting at the end without difficulty. Started on the return journey at 8.15 pm. ... Reached Srirampur at 11 pm.... Completed the daily quota of spinning, partly on the boat while proceeding for the meeting and partly at the meeting itself.

After a day's gruelling work on 1 December, Gandhi wrote: 'The back aches. Revised an article for *Harijan* lying in bed. Dozed off in the middle.' Gandhi was ambidextrous; and the entry for 2 December reads: 'Must stop. Even the left hand now aches and has struck work. To bed 9.30 pm'.

On 8 December, his diary records the following with reference to a slip in the observance of his weekly silence: 'I see my discipline of silence is only skin deep. Silence is a great art, not easy to master'.

On 20 December, Gandhi completed one month at Srirampur. 'He is [now] a friend of both the communities here', ran a press despatch. 'Muslims and Hindus of the village do not hesitate to come to him to seek his help. He is their friend, philosopher and guide.... In his lonely life he tries to do everything himself ... cooking his own food ... arranging his own things, massaging his own body and acting as his own doctor'. 'Mahatma Gandhi is spending most of his time in attending the poor and the sick', ran another despatch. 'Yesterday morning he visited a Muslim's house where he saw patients treated by Dr. Sushila Nayyar. In the afternoon he visited another Muslim's house to give medical aid. In the evening he paid a visit to the Press camp and attended to a bed-ridden journalist'. 'He walks fast', said one report. 'Last Saturday he walked with excellent speed through the narrow village road, crossing two precarious bridges and covering about 2 miles in 40 minutes. He has also increased his evening and morning walks....' Another report said: 'Gandhiji does not like to be surrounded by workers or other people. None is allowed to stay in his camp for the night except in cases of emergency. One man travelled all the way from Nagpur but he was immediately sent back after his special job here was finished. One woman who had been on fast came here yesterday and broke her fast before Gandhiji.... She also was sent back straightaway.'

On a visit to a local maulvi's house, Gandhi learnt that of a total population of 1,400, there was only one matriculate, and only 40 could read and write. One thousand of them could recite the Koran, but none of them could understand what they were reciting. And yet the maulvi claimed that there had been a large number of 'voluntary' and 'natural' conversions to Islam. Gandhi noted in his diary: 'It is awful to keep them [Muslims] in darkness as to the meaning of their scripture.' Thereafter, whenever he spoke to Muslims, he discussed the Koran with them and explained the meanings of the ayats, to the best of his ability. This angered many of the mullahs as they felt he was encroaching on their territory. Gandhi now decided to learn Bengali so that he wouldn't have to depend on an interpreter. Like everything else, he took to learning the language diligently. A note in the diary of one of his contemporaries proves Gandhi's earnestness: To practice Bengali character writing, he drew squares in his

exercise book like a lower form schoolboy. When I twitted him for it, he replied, "That is how my teacher used to teach us to draw characters of the alphabet. It is an excellent method. People think that one ceases to be a student when his schooldays are over. With me it is the other way about. I hold that so long as I live, I must have a student's inquiring mind and a thirst for learning". After having his fruit juice he began to pore over his Bengal primer. While doing so, he dozed off for about ten minutes, waking up at 7.15 am. At 7.25 am we started on our day's march, reaching ... at 8.25 am after full one hour's walk. Immediately on his arrival there, he again sat down to do his Bengali lesson'. This diligence continued till the last day of his life. The last exercise was done a few hours before his murder on 30 January 1948.

A conference comprising thirty Hindus, Muslims and government representatives was held at the Ramgunj Dak Bungalow on 22 November. A plan for the establishment of peace according to the suggestions submitted by the Bengal government was hammered out; and a nucleus for a peace committee for Ramgunj Police Station was formed. The peace committee, according to the unanimously adopted formula, comprised an equal number of Hindus and Muslims. Peace committees, village unions and a police station were also formed for the villages. In the case of any disagreements, the district magistrate would be the final arbiter with full powers. The peace committee was to work extensively to restore confidence amongst the victims. They were to restore the dwellings of returning refugees; provide food, provisions and clothing to the refugees; draw up lists of criminals and activate their arrest.

The first meeting of the peace committee was held at the Ramgunj Police Station on the evening of the 25th. Shamsuddin Ahmed, minister of the West Bengal government, announced that seven Union peace committees had been recently formed and were functional in restoring peace in East Bengal. He promised that the Bengal government was sincere in its desire to win the confidence of its minority citizens. Speaking last, Gandhi remarked that success of the scheme would depend on the people in the committee. He was troubled by some Muslims scrambling for a place on the peace committees. It filled him with a sense of fear, as he felt that in some parts of the state, trouble was still brewing. He had recently received a telegram from Sandwip Island reporting grave trouble there. Women, fearing molestation, had stopped wearing vermilion on their foreheads.

Early on the morning of 24 November, Sarat Chandra Bose, accompanied by a few friends and colleagues, met Gandhi at Srirampur. He voiced his doubts about the sincerity of the ministers and the chief minister of Bengal towards restoring peace. He told Gandhi that he had offered to camp along with Suharwardy in the riot affected areas and work to build peace. However, the chief minister and his colleagues had made insincere excuses and forestalled the idea. Gandhi agreed with Bose that the ministers had indeed sunk to the lowest possible levels.

One member complained that Nehru and Rajendra Prasad had intervened in Bihar but they hadn't done so in Bengal. Gandhi replied to him saying that, besides being responsible members of the Central Government, they both were distinguished leaders of the Congress. In the interim government they had to abide by the procedures laid down by that body, and could not therefore intervene in matters under the purview of provincial governments, such as the one in Bengal. On being challenged that his opposition to conversion was identifying him with the Hindu Right wing and the Hindu community exclusively, he replied that he personally had no issue with the religion a person chose. However, such conversions could not in its very nature be on a mass scale and never for saving one's life or property, or for temporal gains. What had happened in Noakhali was a travesty and negation of all religion.

There was an opinion that pockets should be carved out of Bengal where exclusive colonies of the minorities could be established. Gandhi opposed this demand and said it would pose a threat to a united India in future. A delegation of Hindu Mahasabha members, headed by their leader N.C. Chatterjee, met Gandhi and argued for the creation of such 'colonies'. Gandhi told them that this was a dangerous and unworkable solution, since a concentration could always be overwhelmed by superior numbers. At best it would mean that the country would be permanently divided into hostile sections enjoying a sort of armed truce. 'Whether they are many or few, the Hindus of East Bengal have to learn the art of being brave. What if the Muslims of Bihar wanted to create Muslim colonies in Bihar; it would be looked upon by the Hindu population of Bihar as a potential menace. By the same token, the creation of pockets can bode no good to the Hindus of East Bengal.'

Noakhali was now being flooded with relief organisations and relief workers. There were about thirty relief organisations and half a dozen

medical missions working amongst the victims. Gandhi's mission of one worker per village was now operational in twenty villages. Aid was pouring in from all over. He feared that with all the aid and volunteers the government would ease off on their responsibilities. The demobilised and recently freed men of the INA had come to Noakhali to assist Gandhi. Their leader, Sardar Niranjan Singh Gill, approached Gandhi to ask him to assign them duties in Noakhali. The Muslim League had expressed concern at the presence of the large number of INA men in their midst. Gandhi advised Singh to obtain permission from Suhrawardy before starting on their relief work. Suhrawardy had been facing increasing criticism from his cabinet colleagues and Muslim League members for allowing Gandhi and his band of workers a free hand in Noakhali. Some Muslim League fanatics had launched a propaganda war against Gandhi, accusing him of prolonging his stay in Noakhali to defame the League and of hindering the establishment of peace. Suhrawardy pleaded with Niranjan Singh not to make his situation worse. However, at that time the central leadership of the Muslim League was desperately trying to woo the Sikhs of Punjab to join their grouping in the north-west, so that the Muslim League, supported by the Sikhs, could lay claim to the entire north-west provinces, right upto New Delhi. Orders were sent to Suhrawardy not to anatgonise the Sikhs, and thus Singh was granted permission. Instead of a thousand, Gandhi allowed only a hundred volunteers. The group included a Muslim from East Bengal, a Muslim from Punjab and a non-Sikh from South India. Ultimately the bulk of the INA volunteers were sent back; only a batch under Col. Jiwan Singh continued to be in charge of Gandhi's camp in Srirampur, and accompanied him on his village-to-village march on foot through the riot-torn districts. Finally even this group was sent back when Gandhi left for Bihar in March 1947. Jiwan Singh, however, continued to work in Noakhali along with other volunteers in the Gandhi camps.

Soon, Gandhi's work began to show results. Muslim families began to break the shackles of mistrust and suspicion and see him as their friend. They began flocking to his prayer meetings and gathered around him during his daily walks. The Hindus did not remain untouched either. 'Gandhiji's continued presence in Noakhali is resulting in a slow but steady restoration of confidence among the affected people', reported a correspondent, in the third week of December. 'Evacuees are now returning to their homes'. 'The Mahatma's method of solving the communal problem has been found to be

a super-method', reported another. 'It may take time to yield its fullest results; it does always when it is an appeal to the soul but it is always a sure and more lasting method.... It is not a peace dictated from above but worked up from within'. The change was also felt by people in other parts of the country; however, there were many sceptics, one of them being C. Rajagopalachari. In a letter written on 19 November, on the eve of Gandhi's departure for Srirampur, he wrote to Pyarelal: 'When is Bapu coming back? What is the good of remaining there so long?.... All the good that can result has already resulted.... What is the good of under feeding? It is dangerous'. Two weeks later, Rajagopalachari wrote to Gandhi: 'I have been silently watching and reading the reports that appear about your work there. There is not much in the newspaper reports, but one can read a lot between the lines if one thinks it out with some imagination. I agree with you that the work you are on is great in every way and all else must give way. I have been thinking it over for some days past. My note to you was wrong. You are now—I think for the first time in some respects—putting into the field positive *Ahimsa.* And you will win. And it will be most valuable....I expect your new experience will unfold altogether new lines of thought and action and you will come back richer. God willing our problems may be solved. My love and fullest confidence'.

By this time, the rift between Nehru and Patel had begun to widen. The suspicion Gandhi had about the sincerity of the Cabinet Mission's intentions with regards to the grouping clause had proved to be right. The British Parliament rejected all the objections raised by the Congress and promulgated a law which made it a *fait accompli* for the minority groups to compulsorily tag along with the dominant factions while voting on or opting out of a grouping. After a failed conference in London, where the Congress was represented by Nehru, the possibility of the Sikhs and Hindus in Punjab and the non-Muslims in Assam having to remain within the grouping dominated by the Muslim League, in other words having to break away from India, became a reality. The Congress leaders were once again realising their folly in disregarding Gandhi. Patel was also rattled by the terror tactics of the Muslim League and began to publicly advocate a tit-for-tat policy. He wanted to deal with the Muslims the way some of them were dealing with the Hindus. The 'Iron Man' of India did not realise it then, but was later to admit that this was just the response the Muslim League was hoping to invoke, to strengthen their demand for a homeland for Muslims.

Not paying heed to Gandhi and abandoning his methods during times of crises was going to cost India and the Congress dearly. But Gandhi would pay the price for the follies of his political heirs.

While correspondence between Gandhi and Patel remained warm and honest, the thoughts expressed in the letters accentuated the drift between the two. While disagreeing with his opinions and disapproving of some of his actions, Gandhi encouraged Patel to act according to his beliefs. It was during this period that the Nehru loyalists within the Congress launched a campaign to politically weaken Patel; many written and oral complaints were made against him. Those that were sent to Gandhi were promptly forwarded to Patel. Although the rift between Patel and Nehru and the situation in Delhi was taxing the already stressed Gandhi, he resolutely refused to abandon East Bengal and rush to New Delhi or Bihar.

Speaking of his inner turmoil to Dr. Amiya Chakravarty of Calcutta University, who was visiting him in Srirampur, Gandhi commented: 'I am in the midst of a raging fire, and will not leave till it is put out; life in these parts must be made liveable for sorely affected men and women. The work of organisation must go on, and physical as well as moral rescue achieved.' Dr. Chakravarty asked him what technique could be used to approach the wrongdoers so that their resistance could be dissolved as, 'They are not only unrepentant but defiant and even jubilant over their misdeeds.' Gandhi replied, 'The only way to meet their attitude is not to succumb to it but to live in their midst and retain one's sense of truth. I am groping for light. I am surrounded by darkness—but I must act or refrain as guided by truth. I find that I have not the patience and the technique needed in these tragic circumstances—suffering and evil often overwhelm me and I stew in my own juice. Therefore, I have told my friends that they should bear with me and work or refrain as guided by wisdom which is now utterly demanded of us. This darkness will break and if I see light even those will see it who enacted the tragedy of the recent communalism in Bengal.'

Describing the last morning of his stay in Srirampur, Dr. Chakravarty wrote: 'The stars were still shining in the sky and the village of Srirampur lay quiet, waiting for the new day, when after the morning prayer Gandhi settled down to work. One could see him wrapped in white, his forehead shining as he went on writing in the light of a hurricane lantern. After 7 am he came out for his morning walk in the village, crossing precarious bridges

and grassy lanes wet with the morning dew. He greeted Muslim peasants as they proceeded to their fields and work in the farms'.

The antagonism that the Muslim League rank and file felt towards Gandhi's peace mission in Noakhali was summed up in a press statement issued by one of the Muslim League parlimentary secretaries, Hamiduddin, who had accompanied him. 'Mr. Gandhi does not intend to go to Bihar.... Will it be wrong if one feels that Mr. Gandhi is in Noakhali only to focus the attention of the world on the happenings there and to magnify the same for keeping the Bihar happenings in the background?.... Does Mr. Gandhi want to complete his organisation through the number of volunteers he has got from outside?.... Mr. Gandhi may conveniently ask all the outside volunteers both male and female to quit while advising the refugees to return to their homes....No more sermons or instructions seem to be necessary for the Hindus there and the Muslims never required it ... Free from outside propaganda, they will begin to repose faith in their Muslim neighbours with whom they have been living peacefully for centuries.' Hamiduddin went on to deny that any forcible conversions had taken place. He alleged that, by not refuting the exaggerated reports about the casualties and carnage in Noakhali as widely reported by the press, Gandhi had lent credibility to them. He ended his 'open letter' saying, 'Gandhiji should now leave Noakhali and utilise his valuable time and energy for something else, if not for the Bihar sufferers'.

Srirampur soon became a beehive of activity. Nehru, the newly appointed president of the Congress, was coming to meet Gandhi. Accompanied by Acharya Kripalani and a small group of Congress workers, they reached the Gandhi camp at midnight. The next day there were crowds of locals who had gathered to catch a glimpse of Gandhi and the leaders from Delhi. Joking with his mentor Jawaharlal commented, 'So, this is your lone sojourn!'

'You forget I am a Mahatma, too!' replied Gandhi with a hearty laugh.

By this time, the Nehru loyalists in the Congress had begun their campaign against Patel. Verbal and written complaints against Patel's alleged anti-Muslim attitude were constantly being registered with Gandhi. Nehru was also accompanied by Mridula Sarabhai, an ardent follower of Gandhi. She complained to him about Patel's speeches, which, from being critical of the Muslim League, were now becoming against the entire Muslim community. The harrassment suffered by the Congress members of

the interim government was a result of the Muslim League's sustained and well-thought-out strategy; to blame all Indian Muslims was not a correct response. However, through his speeches, Patel was justifying the actions of the Hindu fanatics. The perpetrators of the Bihar massacre were emboldened by their misplaced notion that they had Patel's support. By no stretch of imagination could anyone allege that Patel was communal or a Hindu supremacist; his drawback was that he had a short temper and was prone to sometimes saying something without realising its consequences. As a minister holding the Home portfolio in the interim government, Patel lacked 'diplomacy'. This enabled the Muslim League to spread the canard amongst the Muslims that their interests would be jeopardised in an undivided India with leaders like Patel at the helm, and made easy the efforts of Nehru loyalists within the Congress to launch a campaign to weaken Patel within the party. After listening to the complaints of Mridula Sarabhai and others, Gandhi wrote to Patel. The latter wrote back saying that if Gandhi wished he was ready to step down from the Cabinet. He defended himself by saying that he was being targetted by some Congressmen, and named Mridula as the leader of the coterie acting against him. Thus, at a cruicial time in the history of India, the Congress was compromised by internal skirmishes between two of its premier leaders.

Nehru updated Gandhi with the goings-on in New Delhi for the past two months. He talked about the obstinacy of the League; the duplicity of Viceroy Lord Wavell, and his bureaucrats who kept capitulating to the League each time it resorted to arm-twisting. Wavell was even forcing the Congress to form coalition governments with the League, in provinces where the Congress had won clear-cut majorities. Nehru admitted that the Congress had been betrayed over the issue of the interpretation of the clauses relating to the grouping. After a lot of dithering, the British government had invited Nehru for talks in London, and inspite of Patel's objection, Nehru went ahead, only to realise that the talks were a sham. On 6 December, HMG put an end to the controversy about the interpretation of the grouping clause by an 'Act of State'. A declaration was made in both the Houses of Parliament that HMG had legal advice which confirmed that the statement of 16 May meant what they had always stated was their intention, namely, that voting in the Sections should, in the absence of an agreement to the contrary, be taken by a simple majority vote of the representatives in the Sections and that part of the statement so interpreted should, therefore,

be considered as essential part of the scheme of 16 May. The Constituent Assembly was free to refer the matter to the Federal Court, if it so wished, but if the Muslim League could not be persuaded to come into the Constituent Assembly and a constitution came to be framed without the participation of the League, parts of the country in which the Muslim League was in a majority would not be bound by the results. HMG would not, therefore, undertake to submit to Parliament for acceptance the constitution so framed, as they could not contemplate 'forcing such a constitution upon any unwilling part of the country'. 'That position,' commented Sir Stafford Cripps, on the floor of the House of Commons, on 12 December, 'had always been realised by the Congress, which had repeatedly said that they would not coerce unwilling areas to accept the new constitution.'

Thus, the Congress had been pushed into a corner. Many Congress leaders were now expressing regret at not having listened to Gandhi. Patel was one of them. His guilt was more so because it was on his insistence and in defiance of Gandhi in June 1946 that had seen the Working Committee hurriedly accept the Cabinet Mission's plan of 16 May, against Gandhi's instincts. Now the Cabinet Mission had left the Congress stranded. In a letter to Sir Stafford Cripps, written on 15 December 1946, Patel wrote: 'When the invitation to go to London came, our first instinct was to decline to accept it. But the Prime Minister's appeal and his assurance in reply to our cable created a feeling in Pandit Nehru's mind that the refusal to accept the invitation may be regarded as an act of discourtesy; and he left India full of hopes for a message of goodwill and sympathy, but he returned sadly disappointed. He now realises his mistake.... You called the League delegation there at a time when there was some realisation that violence is a game at which both parties can play.... Just when the time for settlement was reached, Jinnah got the invitation and he was able to convince the Muslims once again that he had been able to get more concessions by creating trouble and violence.... In London the stage was set against us.... Your interpretation means that Bengal ... can draft the constitution of Assam. It is amazing. Do you think such a monstrous proposition can be accepted by ... Assam, particularly after the sad experience of wholesale forcible conversions, arson, looting, rape and forcible marriage? You can have no idea of the resentment and anger caused by your emphasis on this interpretation. If you think that Assam can be coerced to accept the

domination of Bengal, the sooner you get rid of that illusion the better.... If they frame the constitution of Assam in such a way as to make Assamese opting out impossible, what is the remedy in your statement?

'You know that Gandhiji at the age of 77 is spending all his energy in the devastated Hindu homes in Eastern Bengal and trying to recover the lost girls and bring back those forcibly converted to their old faith. But he is working against heavy odds.... He is surrounded by a very hostile atmosphere. In the event of his death there in these circumstances, what will happen no one can say. I shudder to think of the consequences.... You must have seen what Jinnah has said in London immediately after the debate. He swears by Pakistan, and everything conceded to him is to be used as a lever to work to that end. You wish that we should agree to help him in his dream?.... You know when Gandhiji was strongly against our settlement, I threw my weight in favour of it. You have created a very unpleasant situation for me. All of us here feel that there has been a betrayal. The solution has now been made more difficult, nay almost impossible. The settlement can only be made if there is no outside interference and the parties are left alone. The Viceroy would not give us peace. We have to work through this. It is an impossible situation.'

The British government's declaration of 6 December raised a life and death issue for Assam and the NWFP If the Congress accepted the Mission's interpretation of the grouping clauses, Assam, where the Hindus and Congress constituted the majority, and NWFP, where an elected Congress government was in place, would pass into the control of the Muslim League government in Bengal and in Punjab which were both wedded to Pakistan. On the other hand, if they refused to abide by the decision of the Congress, it would be construed as a betrayal of the Congress, and would wreck the Constituent Assembly and thereby play into the hands of the Muslim League. As always, whenever they were caught in a bind, the Congress leaders ran to Gandhi for advice. This time they wished to bring him back to New Delhi to assist in the negotiations where they found themselves hemmed in by an ever tightening ring of steel. Gandhi's advice was clear. Rightly or wrongly, the Congress had come to the decision that it would stand by the decision of the federal court. It had to play the game even against heavily loaded dice and lose if necessary. 'The decision of the Federal Court will go against the Congress interpretation of Grouping as far as I can make out, for the simple reason that the British

Cabinet says it has got legal advice which upholds their decision. The Federal Court is the creation of the British. It is a packed Court.

'No one can force Assam to do what it does not want to do. It should lodge its protest, retire from the Constituent Assembly, and frame its own constitution as an autonomous unit. Not only a Province but even a single individual can rebel against the Congress and by doing so serve it, assuming that the individual or the Province is in the right. I have done so myself. That would be the kind of *Satyagraha* against the Congress for the good of the Congress.... For the independence of India it is the only condition. Each unit must be able to decide and act for itself'. But if Assam and the NWFP kept out of the section, the Muslim League would not come into the Constituent Assembly. And if, inspite of the League's boycott the Congress went ahead and framed a constitution for an independent India, HMG would not take any notice of it and the Constitution would remain a dead letter.

Nehru and his party continued to hold consultations with Gandhi and tried their best to convince him to return to Delhi with them, but he was firm in his decision. An entry in his diary on 30 December 1946 mentions: 'Jawaharlal had about ten minutes talk before leaving. It was to the effect that I ought to be with them at Delhi.' In a note to Nehru, he wrote: 'Your affection is extraordinary and so natural! Come again, when you wish, or send someone who understands you and will faithfully interpret my reactions ... when in your opinion consultation is necessary and you cannot come. Nor is it seemly that you should often run to me even though I claim to be like a father to you, having no less love towards you than Motilalji. Do not depart from the spirit of the draft you showed me yesterday. Somehow or other I feel that my judgement about the communal problem and the political situation is true. I have no doubt now about the wisdom of what I had said in Delhi when the Working Committee accepted the Cabinet Mission's statement. This does not mean that what was done by the Working Committee should not have been done. On the contrary, I had completely associated myself with all that the Working Committee did. I could not support with reason what I had felt so vaguely. This time it is quite different. My reason wholly supports my heart. I notice daily verification. So, I suggest frequent consultations with an old, tired servant of the Nation'.

On the morning of 30 December, at half past seven, Nehru and the accompanying party left Srirampur. Gandhi walked with them to the extent of his daily morning walk. Nehru and his group walked upto the nearest village, Madhupur, which was connected by a metal road and from there they were ferried to Feni aerodrome by jeep. Addressing the press on his return, Nehru remarked: 'It is always a pleasure and an inspiration to meet this young man of seventy-seven. We always feel a little younger and stronger after meeting him and the burdens we carry seem a little lighter.'

As the last day of 1946 dawned, Gandhi began to feel restless again. He felt that he had achieved all that he could by staying at Srirampur. To spread the hope of Srirampur to other areas of Noakhali, he would have to launch the next phase of his campaign for peace. He wrote to Patel about the darkness that seemed to engulf him in Noakhali: 'I am being tested through and through. My truth and *ahimsa* are being tested in a balance more delicate than any a pearl merchant ever used.... Truth and *ahimsa* are perfect. They can never fail. But I, their exponent, may. This much I do hope that before that happens, merciful God will take me away from this world and send a worthier instrument to carry out His will.... Do not call me away from here. If I myself run away from here like a coward, defeated, it may be my fate, not India's fault. But I have no such fear. I am out to do or die....'

Gandhi was still perturbed by the recent outbreak of hostilities between Patel and Nehru at such a crucial juncture. In another letter to Patel, after Nehru's visit, Gandhi wrote: 'I heard many complaints against you.... Your speeches are inflammatory and made to please the crowd; you have left behind all distinction between violence and nonviolence; you are teaching the people to meet sword by sword; you miss no opportunity to insult the League in session and out of session. All this is harmful if true. They say, you talk about sticking to office. That again is very jarring, if it is true. Whatever I have heard I have passed on to you for your consideration. This is a very delicate time. If we deviate from the straight path by ever so little, we are done for. There is not that unison in the Working Committee that there should be. Root out corruption—you know how to do so. Send some trustworthy and intelligent person, if you think fit, to explain things to me and understand my mind. There is no need whatever for you to come yourself. You are no longer physically fit to run about. You seem to take no care of your health; that is bad'.

Patel's hurt was evident in his reply: 'I have your letter. It has pained me. Naturally you have written on the basis of the reports that you have received and the complaints that you have heard. The complaints are false of course but some of them do not even make sense. The charge that I want to stick to office is a pure concoction. Only, I was opposed to Jawahar's hurling idle threats of resigning from the Interim Government. They damaged the prestige of the Congress and have a demoralising effect on the services. We should take a firm decision to resign first. Repetition of empty threats has lost us the Viceroy's respect and now he regards our threats of resignation as nothing but bluff. It took me not a moment to offer my resignation when the Viceroy demanded the surrender of my portfolio. It was no bluff and it had a very salutary effect. What interest have I in sticking to office? I am bed-ridden. I would feel happy and relieved to be a free man once more.... I cannot understand how you could lend ear to such a complaint.

'Not even any Leaguer has said that I insult the League time and again. It is news to me that my speeches are made with an eye to the gallery. It is my habit to tell people the bitterest truths. At the time of the Royal Indian Navy mutiny, I condemned the disturbances unsparingly and without mincing words even though it displeased many at the time.... The remark about meeting sword by the sword has been torn out of a long passage and presented out of context. If there are divisions in the Working Committee, they are not today's growth. They have been there for a long time. At present, on the contrary, there is a very large measure of accord in most matters. If any of my collegues has complained to you about me I should like to know. None of them has said anything to me. The confidential reports which the Bengal Government and the Governor of Bengal are sending regarding your continued stay in Bengal are very bad. They wish to push you out from there'.

Pyarelal writes: 'Sardar's reply was perfect so far as it went. The charge of personal ambition was beneath contempt. But Gandhiji's worry was deeper. True, the Sardar did not want office for himself. But obviously prized it for the power it gave to the Congress. If the Sardar had shared his belief that "non-violence is the mightiest force" on earth, he would have prized more highly his formidable role as the Sardar of Bardoli than that of the Minister for Home Affairs in the Interim Government. In the crises that confronted them, what was needed was not fighting courage but the courage

of calm, self-confident strength, and self-possesion that is proof against all panic or provocation and which goes forth to the opponent as love to heal, to disarm and to conquer. This could not be inculcated by argument; it could only be communicated by direct experience. In his next letter to Sardar Patel, Gandhiji expressed only his concern about Sardar's health: "Your health makes me feel anxious. You must get well. There is yet so much to do.... The situation here is delicate. Watch what happens here. I am still groping but there is no despair in me".

On 1 January 1947, Gandhi announced that he would be leaving the following day. 'Those who had once looked upon him with suspicion and distrust, now come here with reverence and gratitude. These are some of the indications that Gandhiji's ethical approach to the bitter problem is working at a slow but steady pace', read a press despatch from Srirampur. A local Muslim was reported to have said, after a visit to Gandhi's prayer meeting, 'We have great regard for Gandhiji and we want him to stay on here.' A remark made at a press briefing by Shaheed Suhrawardy was even more significant, 'I hope Mahatma Gandhi will suceed in his mission not merely in Bengal but also in other parts of India.' Early on 2 January, Gandhi broke camp. Hindus and Muslims alike stood and watched Gandhi pass. Superintendent of Police, Abdullah, who had developed a deep attachment for Gandhi, accompanied him from Srirampur to Chandipur. He had assigned a party of twenty military-police armed with guns to provide security for Gandhi. Gandhi sent out a message that no one was to walk with him. He wanted to be by himself.

Chandipur was three miles away from Srirampur and Gandhi reached there at 8.50 in the morning. On reaching there, Gandhi requested Abdullah to remove the armed guards accompanying him saying, 'I appreciate the vigilence with which the Bengal government is trying to protect me but I need no other protection save God's.'

Gandhi stayed in Chandipur for five days. Those who had left their homes to escape death were now returning in large numbers. Speaking at a prayer meeting he said he likened his mission in Noakhali to a pilgrimage. It was during his time in Noakhali that Gandhi's prodigal son, Harilal, re-established contact with his father. Gandhi wrote to him: 'How delighted I shall be to find that you have turned over a new leaf. Just think of the affection I have lavished upon you! Mine is an arduous pilgrimage. I invite you to join in it if you can.... If you purify yourself, no matter where you

are, you will have fully shared it'. He concluded by reaffirming his faith in the theory that spiritual rebirth is inevitably reflected in one's physical renovation. He wrote, 'Take it on the authority of the *Bhagvata* that you will then also cease to look prematurely old as at present'.

Gandhi now realised that he would have to reach out to every corner of the devastated areas of Bengal. He had to replicate what happened in Srirampur and the only way he could do this was to embark on a walking expedition. For the next two months, the seventy-seven-year-old would walk, part of it barefoot, covering a distance of 116 miles and visiting 48 villages in two stages. He started on the morning of 7 January 1947. After his morning rituals were over, he inquired if all his instructions for the march had been carried out. At exactly at half past seven, Gandhi was bid farewell by his followers who sang Tagore's *'Aekla chalo* re...'

The route Gandhi followed was through very scenic landscape. After an hour and a half the party reached Mashimpur, their halt for the day. Satish Chandra Das had designed a portable hut made with panels of split bamboo, cane and grass. The hut had shelves for books and utensils and two small cubicles attached to the hut had a provision for a toilet and massage room. Gandhi took one look at it and pronounced it to be 'palatial'. He instructed that the cabin be utilised as a travelling dispensary for the poor. 'I can make myself comfortable anywhere and everywhere. If there is no-one to receive me under his roof, I shall be happy to rest under the hospitable shade of a tree,' he told Gupta.

The next morning there was a chill in the air as Gandhi left for his next destination, Fatehpur. As Manu applied oil to his feet she discovered that his soles had cuts and were bleeding. Gandhi's host in Fatehpur, Maulvi Ibrahim, was a remarkable person. He was a committed social reformer and had, for the past fifty years, tried to change the attitudes of the local Muslims. He was working towards abolition of any job from being labelled as 'low class work'.

When Gandhi returned from his evening prayer meeting he was surprised to find Hariram, G.D. Birla's domestic helper, there. Hariram used to cook Gandhi's meals and attend to him when he stayed at Birla House in New Delhi. Concerned about his well-being, Ghanshyam Das Birla had sent Hariram to serve Gandhi in Noakhali. Gandhi promptly sent him back.

The next day Gandhi moved to Daspara. A poor Muslim villager had offered to host Gandhi but retracted his invitation at the last moment,

fearing the wrath of his fellow Muslim villagers. That evening, less than half a dozen Muslims attended the prayer meeting. Some of them sent word saying that there could be no harmonious relationship between the two communities as long as Gandhi continued to move under armed protection. Gandhi had time and again asked the police and the government to withdraw the armed escort. The government, under the pretext of being concerned about his security, seemed to be sabotaging his efforts to establish peace. Gandhi wrote to Suhrawardy: All my attempts at bringing about real friendship between the two communities must fail so long as I go about fully protected by armed police or military.... The fright of the military keeps them from coming to me and asking all sorts of questions for the resolution of their doubts. I do see some force in their argument.... I do not need it. I even feel embarassed and it certainly interferes with my *sadhana*. If you think that a firm and unequivocal written absolution from me will solve your difficulty, I would be quite prepared to consider any draft that you may send me for signature. Failing that, I suggest you making a declaration that on a satisfactory assurance being given to you by the Muslims in the area through which I may pass regarding my safety, you will withdraw the escort. If this happens, it will be a dignified procedure. I will certainly appreciate it and it will produce a good effect all round'.

The next day Gandhi left for Jagatpur where he was to address a meeting of local women. Many of them wept as they narrated their stories. That evening some local Muslims tried to instigate Gandhi by making hateful statements and questioning his motives. Pyarelal writes: As he contemplated the scene around him, once more the feeling came upon him that there was not likely to be an early end of his mission in Noakhali. "The signs are all against it," he remarked. To be able to command heart unity between Hindus and Muslims, he would have to make still further progress'. The next day, 11 January, after waking up at 2 am, Gandhi was kept busy with work till the last moment before his departure for Lamchar. A large group of local Muslims, including women and children, had gathered around the path at the crossing; many of them accompanied Gandhi to Lamchar. He was welcomed warmly even by the Muslims there; they were beginning to understand and appreciate his efforts. At Lamchar Gandhi realised that a major cover-up had taken place immediately after the riots: the local people, politicians and police had all been involued in the riots but the victims did not have the courage to inform the administration.

The next day Gandhi reached Karpara, where Sushila Pai was running a relief and rehabilitation centre. He advised the workers to begin by providing the people with basic requirements like clean drinking water and, along with Satish Gupta, devised a natural filter, which cost Rs. 50 and was sufficient to provide pure and safe drinking water for twenty-five families. At the next destination, Shahapur, Muslims came out in large numbers to greet Gandhi. The next morning the walk to Bhatialpur took nearly eighty-five minutes with several stops on the way. The local Muslims and Hindus of Bhatialpur had formed a peace committe. The Muslim members had signed a manifesto condemning the barbaric incidents during the riots and had assured their Hindu neighbours of all possible help in rehabilitation. The Muslims appealed to those who had robbed and plundered Hindu homes to return the stolen property to the rightful owners.

That evening, addressing the prayer meeting, Gandhi spoke on the subject of purdah, which opened him to severe criticism. He asked the women to discard it as an outmoded custom. He was treated with the choicest abuse by Muslim fanatics from as far away as Bombay and Madras. His actions were dubbed as an unwarranted intrusion on the part of an unbeliver, and an attempt to corrupt pure Islamic traditions! The next morning a thick mist shrouded the woods as Gandhi resumed his march. His destination was the hamlet of Narayanpur. Before taking leave of his hosts and the people of Bhatialpur, Gandhi visited the family temple which he had reopened and consecrated the previous day. The next two stops on Gandhi's pilgrimage was Narayanpur, and then Ramdevpur-Dasgharia. Kanu Gandhi had established a relief camp here. Many Muslims gathered along the route to welcome Gandhi.

A constant demand of some Muslims, ever since Gandhi had arrived in Noakhali, was the immediate release of the perpetrator of the crimes—Mian Ghulam Sarwar—who had been arrested only after a lot of pressure had been put on the government. His henchmen issued 'warnings' to those who had registered complaints against him and instilled a great amount of fear. A delegation of Sarwar's 'deputies', comprising twelve local Muslims, met Gandhi at Ramdevpur; a threat of a violent agitation for his release was cloaked thinly in their petition. However, Gandhi would hear nothing of it.

On the morning of 19 January, just as the party was to leave Badalkot for Atakora, they realised that heavy dew had rendered the footpaths very slippery. The path was narrow and they could only walk in a single file.

Twice, Col. Jiwan Singh nearly lost his footing. Even as he was struggling to get up, Gandhi offered him the end of his walking stick to pull himself up. Atakora was only two miles from Badalkot but it took them a whole hour to reach. The next day the party left for Sirandi where Bibi Amtus Salam, a devout Muslim follower of Gandhi, had been working. She had been on a fast for the past twenty-five days to protest against some local Muslims. Bibi was a strict Muslim and held the unity of the two communities as the supreme goal of her life. During the recent riots she had rushed to many troubled spots in Delhi, Calcutta and Dacca and tried to bring the situation under control. Gandhi arrived at Sirandi where a large gathering of local Muslims met him and pleaded with him to convince Bibi Amtus Salam to give up her fast. Gandhi was aware that she only craved for peace between the Hindus and Muslims, and if that was guaranteed she could be convinced to end her fast. Gandhi prepared a declaration for their signatures, which was signed by eleven leading Muslims from four villages. The twelfth member, who had first spoken on behalf of the Muslim assembly, did not sign. He had gone to 'attend a meeting' several miles away. He was made to sign the declaration the following morning. Gandhi then explained the significance of the signed pledge to Bibi Amtus Salam and after the recitation *o(Al-Fateha* Bibi Amtus Salam broke her fast by having three ounces of orange juice from a glass held by Gandhi.

After Sirandi, Gandhi moved to Kethuri on 22 January. He was exhausted both physically and mentally, and spiritually drained after the hectic activities at Sirandi. The next morning, while going through a sheaf of papers after the morning prayers, he dozed off. It was time to leave on the day's journey and a large number of people were waiting outside, but Manu dared not wake him up. Finally, when Gandhi woke up, he was annoyed with himself that, due to a moment's weakness, the day's schedule had been delayed by a few minutes. He had always believed that every moment of one's time was a sacred trust from God to be used strictly in His service. 'When people have been told we are to start at seven, it must be at the stroke of seven. Unpunctuality is a sin.'

During the march to Paniala, the next halt, Manu sang a new *Ramdhun,* which she had heard as little girl, while attending a religious service in a Vaishnava temple in Porbandar, her hometown. It had stayed with her and spontaneously surfaced that morning.

A large number of survivors attended that evening's prayer meeting. After the prayer at Paniala, Gandhi was subjected to a barrage of angry questions from a group of Muslim League hecklers, which he had to handle deftly to pacify their tempers. Although politiking and negotiations were happening in Delhi, in the backwaters of Bengal Gandhi was often approached by aggrieved people. There was a constant onslaught of leaders and delegations chasing Gandhi for advice.

Assam was in a dilemma; being clubbed with the Muslim League-ruled Bengal and majority Muslim East Bengal, would prevent it from having any say in which side it would remain with and in the drafting of the constitution. Gandhi's advice to them was to walk out of the Section in the Constituent Assembly unless there was a guarantee that a constitution unacceptable to Assam's representatives would not be sought to be forced upon it by the representatives of the other provinces in the Section. This caused a great deal of anger in the Muslim League and Gandhi was accused of having double standards. He was asked how he could give such advice if he was working towards Hindu-Muslim unity; also, after this advice to Assam, how could the Muslim League join the Constituent Assembly? He replied that he had given no advice to Assam beyond what was implied in the Cabinet Mission's plan and was inherent in the character and tradition of the Congress organisation. There was nothing in it that was incompatible with his aim of realising communal unity or which could make it impossible for the Muslim League to enter the Constituent Assembly.

The hecklers also brought up the situation of Muslim trespassers in Assam. The Muslim League government of Bengal had launched an invasion of Assam to alter the communal ratio of the state's population. Muslim immigrants, and specifically Muslim League National Guards styling themselves as Khilji dastas or columns, were infiltrating Assam in groups of seventeen. They were imitating the thirteenth century invader Bakhtiar Khilji who had invaded Gaur, present day Bengal, with a troupe of seventeen horseriders, who swooped down on the capital Navadip, present day Nadia, shouting Allah-o-Akbar'. The modern-day Khilji dastas took illegal possession of vacant government lands in Assam and refused to vacate them. This forced the Congress government there to forcefully evict the illegal encroachers. This decision had been taken in consultation with Muhammad Sadullah, the leader of the Muslim League party in the Assam Legislative Assembly. It was purely an administrative issue and the

measures taken by the Assam government were well within the purview of maintaining law and order, but the Muslim League used the issue to whip up communal frenzy and accuse the Congress government in Assam of perpetrating atrocities on the Muslim population. Gandhi was accused of remaining silent on this by the Muslim League's hecklers in Paniala. He calmly replied that illegal trespassers, merely because they happened to be Muslim or Bengalis, could not claim exemption from the operation of the common law. The Muslim League used this to insinuate that Gandhi was partial towards Hindus.

Gandhi's next stop was the village of Muraim. Some of the women there were veiled, but the village maulvi gently rebuked them saying: 'We are blessed today to have a man of God like him in our midst. Our community today suffers from the stigma of shedding the blood of our Hindu brethren. He has come to free us of this stain. It is absurd to observe purdah in his purifying presence.' The next day the maulvi walked half-way with Gandhi to Hirapur. In Hirapur there were only two Hindu families. The prayer gathering that evening was the biggest during Gandhi's entire pilgrimage.

On 26 January, which had been celebrated as independence day for the past seventeen years since the Congress had taken the pledge of swaraj and pledged to drive out the British on 26 January 1930, Gandhi and his tiny entourage reached Bansa. Even during his last imprisonment, Gandhi had defied the British authorities by hoisting the Tricolour. After stopping in Palla, the party headed towards Panchgaon. The hostility that gripped the Hindus and Muslims was illustrated by an incident that happened there. As was her practice, Manu went to visit the Muslim women in their homes. This time she was refused entry and doors were slammed in her face. An old Muslim woman came out and, pressing a roti in her hands, asked Manu to eat it. To her horror Manu saw that she had been given a piece of fish also; she told the old woman that she was a strict vegetarian. The woman exclaimed bitterly, A Hindu is after all a Hindu', referring to the practice of orthodox Hindus not eating food with a Muslim, 'how can we then believe that Gandhi has come here to establish Hindu-Muslim unity!' To reassure her Manu tore off a piece of the roti without touching the fish and ate it. Only after this did women from other homes step out and meet Manu. When Manu reported the incident to Gandhi, he was shocked at the extent to which distrust had spread.

The campaign continued at Jayag. The new *Ramdhun,* which was revived at Paniala, underwent further modifications.

'Thou art the purifier of the fallen,
Ishawar and Allah are Thy names,
Do Thou grant right understanding to all men,
Krishna and Karim are Thy names,
So are Rama and Rahim,
Do thou grant right understanding to all men.'

The new version gave the Muslim hardliners another excuse to attack Gandhi. They objected to the clubbing together of the names of Hindu gods with Muslim prophets. They warned him not to recite ayats from the Koran, saying that as he was not a Muslim, he had no right to do so.

Gandhi reached Amki on 30 January. His faith in the name of the Lord was put to a severe test here. As goat's milk was not available, he agreed to have coconut milk and also for coconut oil to be substituted for goat's butter. Accordingly he had eight ounces of coconut milk; however, this change in diet brought on a severe bout of diarrhoea. By the evening he was totally drained and exhausted. Manu noticed that he was perspiring profusely. As he sank down, she called out to Prof. Nirmal Bose for help. Together they lifted and carried him to his bed. She hurriedly scribbled a note summoning Dr. Sushila Nayyar and was about to give it to Prof. Bose when Gandhi opened his eyes. 'I did not like your calling Nirmal Babu,' he said to her. 'You are yet a child. I can, therefore, excuse you. But what I had really expected of you was that on an occasion like this, you would do nothing but take the Lord's name. I was chanting his name all this while. Do not inform anybody about it, not even Sushila. Rama alone is my true doctor. He will keep me alive so long as He wants to take work from me, otherwise he will take me away.' Manu tried to hide the note she had scribbled for Dr. Nayyar but Gandhi noticed it. 'So, you have already written?' he asked and Manu nodded. He said, 'Today God has saved both you and me. Sushila would have left her work in her village and rushed to me. It would have made me angry with myself and with you. I have today been put to the test. If His name has really established dominion over my heart I shall not die of illness. And this law holds good not only in respect of me but that of everybody.'

At his next stop, Amishapura, a large crowd greeted him. An ex-airman, who had deserted from the Air Force and had taken on an assumed identity, had joined Gandhi's entourage. Many deserters and ex-revolutionaries had thus been welcomed by Gandhi. Some of them became his most trusted co-workers. The man had been accepted into the 'family' on the condition that he was to remain with Gandhi and work under his direct supervision. However, on reaching Amishapura, the ex-airman broke away and declared that he would work independently of the peace workers. Gandhi immediately alerted the authorities as the man was from Malabar and his unsupervised activities could be dangerous both for him and the district.

In the midst of this, there were growing fears that, while Gandhi supported agrarian reforms through non-violent movements, vested interests might selectively exploit his support to launch a violent movement. Wouldn't it therefore be incorrect of him to support a movement which would result in the utter ruination of the entire Bengali middle class? Would this not ultimately affect the common villagers, too, by depriving them of the services which were being rendered to the village economy by the landlords? Pyarelal writes: 'Gandhiji answered that he was not in a position to deliver a verdict on the actual merits or demerits of the local issues of which he had not made sufficient study. He could only speak in terms of general principles. The landlord's land was not to be confiscated; only his share was to be reduced. Surely that could not spell his "utter ruin". It was wrong to allow themselves to be obsessed by the communal aspect of the question. "It might be that in Noakhali the landlords were mostly Hindus. But if the legislation itself is sound it should not matter whom it affected". They should examine every problem strictly on its merits. His advice to the landowners, therefore, was that they should accept the principle underlying the demand for the reduction of the owner's share and work for solid amendments. "I see a time coming when all land will belong to the State, i.e., the tiller of the soil. For years past India has lived through confiscation. Why invite the risk of confiscation by resisting moderate reduction? For, much as I would like it, there is no guarantee that under independence, the state would be conducted on wholly non-violent lines". He concluded: "It goes without saying that the utter ruin, i.e., the liquidation of the landowners brought through violence would ultimately involve the cultivators, too, in ruin. If the landowners act wisely, neither party will lose in the end".'

Gandhi arrived at his next destination, Sadhurkhil, on the morning of 3 February. It was now one month since Gandhi had embarked on his barefoot peace pilgrimage through riot-torn Noakhali. His pilgrimage had instilled confidence in the riot-affected community and had, to a large extent, helped to rid fear. He was convinced that if he really possessed the innate purity, which he claimed for himself, his labours would bear fruit and endure.

With a day's halt at Dharampur and another at Prasadpur, Gandhi reached Nandigram on 8 February where he was welcomed by a large crowd. 'What hospitality can we offer you?' asked a Muslim whose house Gandhi visited.

'The hospitality of giving me a place in your love and affection,' Gandhi replied.

The next day Gandhi reached Bijoyanagar after walking for an hour and a half. Relief and peace workers who had accompanied Gandhi to Noakhali, and were now working in various villages in the district, were faced with a dilemma. He had given strict instructions that they were to involve local workers in their relief work and keep away from local politics and factions. However, every village seemed divided. Gandhi's message was emphatic though: 'I have not known a single village which is devoid of an honest worker. I would go so far as to say that even a few years' experience of residence in a single village, trying to work through local workers, should not be regarded as a conclusive proof that work could not be done through and by local workers. I can categorically say to the principal worker: "If you have any outside help, get rid of it. Work singly, courageously, intelligently, with all the local help you can get and if in the end you do not succeed, blame yourself only and no one else and nothing else".'

Raipur had witnessed the worst carnage in the area, next only to Shahapur. Gandhi found plenty of evidence that trouble was still brewing in the districts. A Muslim who had come all the way from Punjab to meet Gandhi had been robbed of all his belongings on the way. Another Muslim from Gujarat had been threatened by some local Muslims for wanting to meet Gandhi. There were two jama masjids in Raipur. The imam in charge of one took him around to see the mosque, but the other refused saying that he needed written permission from the trustees of the mosque. While returning to his camp after the evening prayer, Gandhi visited a temple which had been seized by the local Muslims during the riots and converted

into 'Pakistan Club'. It still bore that tell-tale signboard, four months after the event. The local Muslims assured Gandhi that they would take all the necessary steps for its early restoration.

While on his pilgrimage, Gandhi had not forgotten about the impending independence of his land. Pyarelal describes his vision of a truely independent India in *Mahatma Gandhi: The Last Phase* Vol. 10 Book Two, Part I: 'To those provinces who had the self confidence, strength and will to declare themselves independent from the British Raj and take their destiny in their own hands he advised the course he would wish them to follow. On his pilgrimage from Dharampur onwards the post prayers dialogue centered around his vision of the independence that was to be realised in the free provinces so as to serve as a model for the rest of India. What began to emerge was a picture of the India of his dreams. A picture of a casteless and classless society, in which there were no vertical divisions only horizontal; no high, no low; all service has equal status and carries equal wages; those who have more use their advantage not for themselves but as a trust to serve others who have less; the motivating factor in the choice of vocation is not personal advancement but self-expression and self-realisation through the service of society.

'It was put to Gandhiji that Government was introducing schemes of industrialising the country for the maximum utilisation of the country's natural resources and raw materials instead of its abundant man-power which was being allowed to run waste. Could this be called national development in the true sense? It was obvious, Gandhi had replied, that any plan which exploited raw materials of the country and neglected the potentially more powerful man-power would never bring about human equality or make the nation really happy and prosperous. In the west they had neglected the universal man-power and concentrated power in the hands of the few who rose to power and fortune at the expense of the many. The result was that their industrialisation had become a doubtful boon to the poor in those countries and a menace to the rest of the world. If India was to escape such a disaster, she had to adopt and assimilate what was best in western countries and leave aside their attractive looking but destructive economic policies. So far as India was concerned, real planning should consist in the best utilisation of the whole of her man-power and distribution of her raw products to her numerous villages for being manufactured into goods instead of being sent out of the villlages or

exported from the country to be repurchased as finished articles at a high premium.'

Meanwhile, the Karachi resolution of the Muslim League had put an end to any hope of the Muslim League joining the Constituent Assembly. On 9 February Nehru wrote to Gandhi: 'The League resolution was about as bad as it could be. Perhaps there was a virtue in it for it makes the position quite clear. After this resolution it is even more difficult than before for us to carry on in the old way in the Interim Government. We are moving in the matter'. He wrote again the next day: 'We have informed the Viceroy that in view of the Muslim League resolution passed at Karachi, the League members cannot continue in the Government. There is really no answer to our charge and demand and the Viceroy realises it. He is awaiting instructions from London'. The *London Times* commented: 'The League, while apparently relying on the British declaration that a constitution framed by the Constituent Assembly, not fully representative, cannot be enforced upon unwilling parts of India, may perhaps have lost from sight the not less significant undertaking that a minority cannot be suffered indefinitely to impede the progress of the majority'.

In a press interview on 15 February, Patel revealed that the Congress members of the interim government had asked HMG either to implore the Muslim League to share in drafting a new constitution or to leave the Cabinet. If they didn't, he said, the Congress would. The step, which had been contemplated for a long time, precipitated by the refusal of the Muslim League members in the interim government, who sat in the Lower House, to support the government on an important decision. The issue was a delicate one of taking punitive action against some trouble making elements in the NWFP. To deal with such a vital issue of law and order upon purely communal lines was a danger signal which no responsible body could ignore. Even the conservative *London Times* was forced to observe that the behaviour of the two ministers was 'in fact indefensible'.

In a letter written in December 1946 Gandhi had said: 'In my opinion for the British not to leave India till there is perfect peace in the land seems to me to be an impossible dream. What they can and must do is to transfer the whole power to the willing and capable party and at the earliest moment to withdraw the British part of the army and disband the rest. They should not think of keeping any part for the protection of the British interests. These

must be left to the goodwill of the people of India. This is the royal road to peaceful transfer and no other.'

The British Government was driven to very nearly the same conclusion. On the 20th of February, 1947, Attlee made a statement in Parliament that it was HMG's definite intention to take necessary steps to effect the transfer of power to responsible Indian hands by a date not later than June 1948. Under the State Paper of 16 May 1946, they had agreed to recommend to Parliament the adoption of a constitution that might be framed by the Constituent Assembly. But if a constitution in terms of the Cabinet Mission plan was not worked out by a 'fully representative Constituent Assembly by that time', Attlee went on to say, 'HMG will have to consider to whom the powers of the Central Government in British India should be handed over on the due date, whether as a whole to some form of Central Government for British India, or in some areas to the existing Provincial Governments or in such other way as may seem most reasonable and in the best interest of the Indian people'.

Simultaneously, the British prime minister announced the termination of Lord Wavell's appointment as the 'war-time' viceroy and the appointment of Lord Mountbatten as his successor and last viceroy of India. Although formal compliments were paid to him on the termination of his services, Lord Wavell was being dismissed for his inept handling of the situation. The prime minister had realised as early as December 1946 that Wavell had to go if his government's Indian policy was not to become a complete disaster. Wavell was leaving behind a political deadlock worse than ever, communal violence which threatened to turn into a raging inferno, organised lawlessness which had already taken over three provinces and threatened to convert the entire country into a battlefield, a vertically split Central Secretariat divided between the viceroy's personal staff and the gora sahibs of the British Administrative Service, and a crumbling administrative service into which communalism had infiltrated. As Mr. Attlee himself put it, 'nothing more constructive than a Military evacuation plan'.

Giving his first reaction to HMG's announcement, Gandhi wrote to Nehru on 24 February: 'Evidently I had anticipated practically the whole of it. My interpretation of [Attlee's] speech is this— Independence will be recognised of those parts which desire it and will do without British protection;

(1) The British will remain where they are wanted;

(2) This may lead to Pakistan for those Provinces or portions which may want it. No-one will be forced one way or the other. The Congress Provinces, if they are wise, will get what they want;
(3) Much will depend upon what the Constituent Assembly will do and what you as the Interim Government are able to do;
(4) If the British Government are able to remain sincere the declaration is good. Otherwise it is dangerous.

In other words, the future would depend on India's capacity to take up the challenge of independence in terms of the Quit India resolution for which Gandhi had been trying to prepare them, and the British Government's willingness to retire unconditionally, leaving India to its fate, and its capacity to get the services to implement that decision loyally and impartially in letter and in spirit.

Devipur, the last village in Noakhali district where Gandhi would camp for the night, was very scenic. The path leading to the village meandered along the Dakatia river. Later, he sent for the principal worker as he was unhappy with the excess money that had been spent on decorating his route. Where did they find all the material? Surely it could not be from the village! The poor worker tried to explain: they had raised a subscription to accord him a fitting welcome. Gandhi said, 'Did you realise that by indulging in this vain display you would acerbate communal passions? This display means nothing to me ... but it will leave a legacy of ill-will behind which will continue to poison the communal relations in this village for a long time to come. You are a Congressman. Did not it occur to you, knowing my strong views on *Khadi*, that ribbons and buntings made of mill cloth would only hurt me?' Gandhi personally supervised the unravelling of the garlands and wreaths and had every yard of yarn rewound so that it could be reused to weave cloth. He salvaged almost twenty cones of yarn. 'While he was pouring out his soul like this,' recorded Manu in her *Diaries from Noakhali*, 'he looked the very picture of a volcano in eruption. But there was no trace of anger or reproach in his voice. From his face one might as well have thought that it was some terrible lapse of his own that he was confessing. And, indeed, he has often told us that a lapse on the part of his men should be regarded as his failure—the failure of his teachings'.

On 18 February, Gandhi crossed into the adjoining district of Tipperah, reaching the first village in the district, Alunia, at 8.30 in the morning. The district was marked by a considerable change in the scenery and nature of

the soil. It was soft alluviam in Noakhali, loam in Tipperah. The arecanut gardens were there but the coconut groves grew scarcer. The verdant stretches of emerald green rice fields which abounded in Noakhali were missing here. In order to simplify his meals, Gandhi concocted some very strange and unappetising dishes at Alunia. Pyarelal writes: 'As part of his midday meal, he had a thick sticky stew of lady's fingers [okra], bitter gourd and greens, without spice or salt. Into this he poured boiled goat's milk and took it after stirring it with a spoon. As I watched him I wondered how on earth anybody could swallow that horrible stuff! I had to pay dearly for it. Guessing perhaps what was passing in my mind he twitted me, "What do you know of these things! When you feel really hungry whatever is set before you is a treat!" Out of his overflowing affection, he offered me two spoonfuls of the decoction which I swallowed with as brave a face as I could!'

Although his mind and body was exhausted, Gandhi was far from being spent. The 19th of February was Mahashivratri, a festival of Lord Shiva and Gandhi was in Birampur that day. For him the festival brought back painful memories as he had lost his wife Kasturba on that day three years ago in the Aga Khan Palace Prison Camp. Since then he had observed Kasturba's death anniversary by fasting and praying. To all outward appearances, it was like any other day, which began as usual at four in the morning and continued without a break. The only allusion to the event which meant so much to him personally is contained in a solitary sentence in his diary: 'On this day, and exactly at this time (7.35 p.m.) Ba quitted her mortal frame three years ago'.

At 7.35 pm the party gathered around a tiny oil lamp burning in front of a portrait of Kasturba, which had a garland made of yarn, spun by Gandhi. The yarn would later be re-twisted and sent for weaving. Gandhi sat through the recitation of the first six chapters of the *Gita*, then due to fatigue, he lay down to rest. He later mentioned that, while he lay listening to the rest of the recitation, he felt at one with his dear departed partner. 'During the *Gita* recitation, the whole scene of Ba's last moments three years ago came back and stood before my mind's eye in all its vividness. I felt as if her head was actually resting in my lap. This was particularly so after the sixth chapter, when I laid myself down to rest and for a moment fell into a gentle sleep. I must own,' he wistfully remarked, 'without her, I could not have suceeded in my striving for *Ahimsa* and self-discipline. She

understood me better than anyone else. Her loyalty was matchless. On the last day, I did not know, till the very end, in whose lap she would close her eyes. But she sent for me just before the end and breathed her last in my lap. That was Ba. We can fittingly observe her *shraddha* [Hindu death rites observed every year on the anniversary] by recalling her virtues and trying to cultivate them in ourselves. I have not known another instance of such guileless faith, selfless devotion and service as hers. Ever since our marriage, she stood by me in all my life's struggles, with an unwavering fidelity and dedicated herself to my life's mission—body, soul and all—in a manner that has few parallels.'

Birampur was situated on the banks of the river Meghna, a mercurial river which often changed its course. It now flowed almost six kilometres away from the village. The fishermen had also suffered greatly due to the riots. Looking at their plight, it was for the first time that Gandhi mentioned that the only option for them was a voluntary and total translocation.

Muslim opposition and the Muslim League's campaign against Gandhi reached a crescendo at the next village, Bishkatali. This small village had a Hindu population of 306 people in the midst of an overwhelming Muslim majority of 4,694. The Hindu survivors had left the village and none of them had returned. Many posters had been pasted on the trees on both sides of the path leading to Bishkatali warning Gandhi:

'Remember Bihar
And leave Tipperah immediately.
We have warned you many times
Still you are here.
Go back; otherwise it would be the worse for you.'

Another bore the message:

'Go where you are wanted.
Give up your hypocrisy and
accept Pakistan.'

'Muslim League zindabad.
Quaid-i-Azam zindabad.
Let there be Pakistan and
Down with the Congress',

declared yet another.

Gandhi left from Kamalapur the next day for Char Krishnapur, in the heart of the Char region. Char literally means an island formed in the riverbed due to the shifting of the river. The Char area in Noakhali and Tipperah is a gift of the river Meghna—its lazy, silt-laden, ever shifting flow contributing to the formation of a network of Chars. The bulk of the population of Char Krishnapur consisted of Namashudras, Harijans, while the Muslims numbered only two hundred. The Namashudras had suffered terribly during the riots and the reign of terror had continued long after other parts had been relieved. As a local Muslim who was to host Gandhi backed out due to immense pressure by his community, an improvised shed was erected using charred and blackened corrugated sheets, salvaged from the burnt-down remains of a homestead.

Gandhi had begun to get reports from his workers spread out over the two districts, about how Hindus were being intimidated. Muslims, especially those aligned to the Muslim League and to the perpetrators of the recent violence, were secretly meeting to plan a new campaign of terror. The Hindus were being threatened with further attacks unless they withdrew their complaints. A large number of Hindu fishermen, betel-leaf growers, weavers, petty shop keepers, etc., who had for generations served both communities, were being reduced to penury by the boycott of their services and businesses. The Hindu agriculturists were facing a similiar boycott. Muslim agricultural labourers who had worked their fields for centuries were not being allowed to work in Hindu farms, a situation that could possibly cause an acute shortage of food grains. As Gandhiji moves along,' wrote Dr. Chakravarty, 'a new dynamic touches the entire area. Tomorrow the road leads further into the Char area. The Namashudra communities who have suffered are waiting for the healing touch of Gandhiji, surrounded by villages languishing in desolation. The stage is set for Haimchar where urgent issues will converge.'

The aim of the organisers of this campaign of isolation was the enforced exodus of the Hindus from the district and then from East Bengal. Unless the government stepped in and took some stringent steps to ensure an end to the economic persecution, the situation would soon become volatile, warned Gandhi repeatedly. Already the survivors of the riots and the victims of the boycott campaign had started talking in despair about an

impending partition of Bengal. Gandhi said, 'Those who talk of separation must know where we stand. If boycott is the policy of the Government, we must know about it. A community cannot take action by itself. Bengal as well as other Provinces must understand this. Even if I fail, truth will not have failed. I must strive and carry this issue towards light. I may live or perish in the attempt. Noakhali and Tipperah are not an isolated problem, but it is a problem which India must solve for herself and humanity. Fortunately or unfortunately, I have had success in the most difficult ventures of my life. But I do not know what will happen this time. The greatest trial is given to us but it is never beyond our power to overcome it.'

Meanwhile, the continued hardship to which Gandhi was subjecting his body had begun to take its toll. Pyarelal describes Gandhi's condition in *Mahatma Gandhi: The Last Phase,* Vol. 9 Book Two, Part I:' "The dead-set at me is growing fiercer", ran a letter by Gandhiji. "But to face such attacks joyously and unflinchingly has been my business in life. My present *yajna* is one of utmost purification. It may be my last". In the course of a conversation with a friend, who had come with some important despatches from New Delhi, he remarked: "I do not want to die ... of a creeping paralysis of my faculties—a defeated man. An assassin's bullet may put an end to my life. I would welcome it. But I would love, above all, to fade out doing my duty with my last breath". One of his letters to a friend described him as "trekking over unfurrowed tracks in stormy weather". He might have in this way gone on forever. But flesh and blood have their limits and nature has put a wise check on man's striving. For some time past he had been complaining of a "drumming sound" in the ears—a red signal of high blood pressure to which he was prone. Under the advice of friends at last he agreed to make a prolonged halt at Haimchar to recoup himself.' The rest at Haimchar lasted for six days, which gave Gandhi the much needed energy for his task ahead.

Thakker Bappa, who was conducting the relief and rehabilitation operations in Haimchar, had briefed Gandhi about the situation in the Char areas. The destruction of the Namashudra villages in the Char area had been on an unprecedented scale. The recently launched mass economic boycott of non-Muslims had further worsened their situation. The plight of the Harijans of Noakhali debunked Jinnah's assurance to the Indian Harijans that they would be better off throwing their lot in with the Muslim League. Thakker Bappa also informed Gandhi about the ill practices of child

marriage, widow remarriage and promiscuity prevalent amongst the Namashudras.

Nuruddin Chowdhary, the relief commissioner of Chittagong Division, had outlined a grand plan to rehabilitate and uplift villages, in an elaborate speech delivered at a meeting of the local peace committee. He had declared that he wanted 'to live and work for the establishment of the Kingdom of God'. Gandhi reacted by saying that, to him, they seemed like grand words with no substance, since the plan ignored the 'issue of issues' which stared all of them in the face, namely the worsening relations between the Hindus and the Muslims of Noakhali. The test of a good worker was not in the grandness of the plans he formed on paper, but whether he knew how to match his work to the human material and the resources available at the moment and to fit his particular role into the larger plan. A sound rule was to pick out a few items that were within one's reach and capacity and work them out in full while keeping the whole in view. Personally, Gandhi concluded, he would give top priority to the establishment of unity between the two communities, the lack of which had vitiated the entire atmosphere so that even in the meeting of the peace committee, where the relief commissioner had unveiled his ambitious plan, very few non-Muslims were to be seen.

Speaking at the first prayer meeting at Haimchar, attended by a large number of Namashudras, Gandhi said that they should not regard themselves as fallen or as 'untouchables'. He referred to what the late Madan Mohan Malaviya used to say—'children of God should be content to earn an honest penny, and eat what it could procure. That would bring them true happiness'. Referring to the British prime minister's statement, he observed that whatever might have been in the history of British rule in the past, there was not a shadow of doubt that the British were going to quit India in the near future. The prime minister's statement put the burden on the various parties of doing what they thought was appropriate. It was upto them to make or mar the situation. Nothing could overturn their united wish. So far as he was concerned, he was emphatically of the opinion that if the Hindus and the Muslims closed their ranks and came together without external pressure, they would not only effect the future of India but probably the whole world. The alternative was a civil war which would only serve to tear the country to pieces.

On 24 April itself Nehru wrote to Gandhi: 'You must have seen my statement on the new declaration made by the British Government. The statement was considered carefully by all our collegues in the Interim Government minus, of course, the Muslim Leaguers.... Mr. Attlee's statement contains much that is indefinite and likely to give trouble. But I am convinced that it is in the final analyses brave and definite statement. It meets our oft-repeated demand for quitting India.... Matters will move swiftly now or at any rate after Mountbatten comes.... The Working Committee is meeting on the 5th March.... Your advice at this critical moment would help us greatly. But you are too far away for consultation and you refuse to move out of East Bengal. Still if you could convey to us your ideas on the subject, we would be grateful'. On 28 February Nehru wrote: 'The Working Committee is meeting here soon and all of us were anxious to have you here on the occasion. We considered the question of sending you a joint telegram appealing to you to come. But we decided ultimately not to send it. We felt sure you would not come at this stage and our telegram would be an embarrassment. But though we are not sending the telegram we feel very strongly that your advice during the coming critical weeks is most necessary. It is possible for one or two of us to visit you but that is not a satisfactory way of doing things. It is a full discussion among all of us that we would have liked to have. At present it is exceedingly difficult for any of us to leave Delhi even for two or three days. For several to go together would upset work completely. There is the budget in the Assembly, the Committees of the Constituent Assembly, the negotiations with the Princes, the change in Viceroys and so many other things that demand constant attention. So we cannot go away and if you will not come how are we to meet?'

But Gandhi believed that what he was doing in Bengal was his duty, and that no matter what the compulsions, he could not leave his task unfinished. In a letter to Patel he wrote: 'I may not be able to prove it to you but I am convinced that my work here is of supreme importance. All of you veterans are there putting your shoulder to the wheel.... I am the only figure among ciphers here. Allow me, therefore, to continue here. If I can achieve something worthwhile, the whole country will be benifited; if I fail none will be any worse for it'. To Maulana Azad, who had suggested to him to make Calcutta his headquarters if he could not come and stay in Delhi, Gandhi replied: 'If the *Ahimsa* about which I have written so much and

which I have striven to realise in practice all these years does not answer in a crisis, it ceases to have any value in my eyes. Your affection prompts you to say that if only I were near you, all would be well. The truth however is that so long as I cannot make good here, I can be of no use anywhere'.

'My walking pilgrimage,' he wrote to a friend in Europe, Mrs. Edmund Privat, 'gives me immense peace of mind. The upshot I do not know nor do I care to know. Man has no control over results. That is the sole prerogative of God. Hence I can sing with Cardinal Newman:

I do not see
The distance scene;
one step enough for me.'

Gandhi's refusal to leave Noakhali till his mission had borne fruit, created a dilemma for the Congress leaders. It was vividly expresseed in one of the letters written to him by Nehru: 'I know that we must learn to rely upon ourselves and not run to you for help on every occasion. But we have got into this bad habit and we do often feel that if you had been easier of access our difficulties would have been less'. But Gandhi was firm: 'I know that if I were free I could take my share in trying to solve the various problems that arise in our country. But I feel that I should be usless unless I could do something here.... We are all in the hands of the Power which we call God'.

In the end it was neither his desire, nor the persistent demand of the Congress leaders that prevailed. What Gandhi had referred to as 'the Power we call God' made him decide. It was neither to stay on in Noakhali, nor to rush to Delhi where there was a clamour for his presence, but it was to answer a desperate cry that rose from Bihar that took Gandhi away, never to return to what he referred to as his 'unfinished business' in East Bengal. While the situation in Noakhali was still unsatisfactory for Gandhi, tremendous pressure was being brought on him to go to Bihar. In a letter to Nehru on 6 February, Gandhi mentions his dilemma: 'Very great pressure is being put upon me to go to Bihar because they all say that things are not properly represented to me on behalf of the Bihar Government. I am watching'.

The number of letters requesting and demanding his presence in Bihar kept mounting by the day. Abusive and vituperative letters were sent to him in an orchestrated campaign by Muslim League hotheads. He scrutinised each one of them carefully. A letter received from the president of the

district Muslim League from Monghyr in Bihar said: 'The atrocities committed by the Hindus in Bihar have no parallel in history. But not a word of sympathy for the Muslim sufferers of this province, and not a word of rebuke and reproach for the criminals could come from your mouth. Still you ask the Muslims to have faith in the nationalism advocated by you, in the "national" Congress supported by you and "national" leaders patronised by you. I would request you therefore, to come to Bihar at your earliest if you really want to serve humanity'. To this bitter and vastly exaggerated missive, Gandhi replied: 'Your letter is hysterical. I would like you to tell me how I can serve the Muslims better by going to Bihar. Whilst I do not endorse your remark that the atrocities committed by the Hindus in Bihar have no parallel in history, I am free to admit that they were in magnitude much greater than in Noakhali. I would urge you, as President of the Monghyr District Muslim League, to confine yourself to proved facts which, I am sorry to say, you have not done'.

Suhrawardy jumped into the fray and in his incorrigible way made a frivolous reference to Gandhi's 'inner voice'. Gandhi gently reminded him that the chief minister too had an inner voice, if only he would care to listen to it: 'I have seen in the newspapers a statement attributed to you which reads like a jibe at me. I would not expect that from you. Therefore I give you the credit of believing that I have the inner voice to which I listen. My belief is that all mankind has it. But the outside din and noise have practically deadened it for the vast majority of people. When my voice speaks I shall find myself in Bihar without any further prompting'.

While refusing to be goaded into taking a hasty step, Gandhi made all efforts to get at the truth. He sent Col. Niranjan Gill to Bihar to give him a report of the situation there. Gill's report exploded the myths propagated by the Muslim League, but what it said was damaging enough for the government of Bihar. Gandhi then sought a second opinion from Dr Syed Mahmud, a minister in the Bihar government: 'I cannot decide between the allegations of the Muslim League and what is reported to me from other sources about where lies the truth. I want you to write to me as to how far the League report is true'. Surprisingly Dr. Mahmud maintained a stoic silence. This made Gandhi even more impatient for the truth.

During his prolonged stay in Haimchar, Gandhi began to plan the next phase of his peace pilgrimage on foot through the district, which was to have begun on 2 March. He had drawn up an elaborate itinerary across the

Charmandal area and covering parts of Noakhali and Tipperah. It then led back to Srirampur, from where he had originally started two months ago. From there he planned to start again and cover the other portions of Noakhali and Tipperah. However, this was not to be.

That evening Gandhi informed Satish Chandra Das Gupta of his intention to proceed to Bihar immediately. He described how, till the previous day, he had been planning to set out on the third phase of his pilgrimage but at the appointed hour found himself preparing to set out for Bihar instead. He referred to the report which he had received about the atrocities that were said to have been committed by the Hindus of Bihar and before which the happenings of Noakhali seemed 'to pale into insignificance'. He was as concerned about the welfare of the Muslims as of the Hindus. His mind made no distinction between the two. He had sent an urgent wire to the chief minister of Bihar and it was highly likely that this might be their last meeting for the time being.

Till 1 March, however, he had received no reply from the chief minister of Bihar. Before retiring he left instructions that his luggage was to be kept packed and ready for departure the next day. Although he lived with very few possesions and personal items, Gandhi had collected a vast number of books and correspondence. Among the things he would take with him to Bihar, were a Bengali dictionary and a note-book in which he did his daily writing exercise in Bengali. The 2nd of March was a gloomy day. Thakkar Bappa had taken it upon himself to supervise the winding up of Gandhi's camp and ensure that all the baggage was properly loaded on the jeep. The fog finally lifted at eleven and the sun shone through. For the first time in two months Gandhi was wearing his sandals. It was difficult for him to walk through the surging crowds to the waiting jeep. He was accompanied by Prof. Nirmal Kumar Bose, Manu Gandhi, Dev Prakash Nayar and Hamid Hunar. He had allowed Dev Prakash to join them to complete his probation in *Nai Talim,* Gandhi's new education programme, and Hamid so he could train under him in Hindustani work; the propagation of Hindustani was an integral part of his programme of Hindu-Muslim unity. All the others who hid originally accompanied him, he left behind to continue his work at the various centres. Satish Chandra Das Gupta was authorised to represent him in dealing with authorities during his absence.

The party reached Chandpur at 3.20 pm. Huge crowds surrounded the residence of the late Hardayal Nag, the grand old man of Chandpur, where

arrangements had been made for Gandhi's stay. His last public prayer meeting in East Bengal was attended by over thirty thousand people.

Addressing the gathering Gandhi said that he was going to Bihar with the purpose of trying to establish peace. He expected to return to his chosen scene of service—Noakhali—as soon as possible.

At 9.30 pm the party boarded a steamer. The last to take leave was Col. Jiwan Singh. As Gandhi scribbled out his final orders that he should send away his men, Jiwan Singh felt hurt and unhappy, thinking it was a dismissal for him. He was about to bid good-bye with a heavy heart when Gandhi wrote on another slip of paper: 'I do not want to lose you personally'. Jiwan Singh stayed on in Noakhali even after Gandhi's murder and added a footnote to the story of inter-dominion relations between India and Pakistan.

The following day, 4 March 1947, from 8.45 to 10 am, Gandhi was closeted with the chief minister of Bengal. Gandhi admitted that things in Bihar were not as well as he had been led to believe. That gave Suhrawardy his chance. With a note of bitterness mixed with triumph in his voice, he told Gandhi that Nehru and Dr. Rajendra Prasad had betrayed him. This hurt Gandhi deeply. When asked later if there was a likelihood of anything fruitful coming out of his talk with the chief minister, Gandhi replied in the negative. 'He is past master in the art of gab; he went on talking round and round; would not give me a chance to get even a word in edgewise concerning what was uppermost in my mind.'

At Howrah station, as the train carrying him to Patna was readied, Gandhi begged for alms for the Harijan fund. A steady stream of coins kept filling his outstretched hand.

As the train chugged towards riot-torn Bihar, the apostle of peace was lying on his bunk preparing for the ordeal ahead. Of one thing he was sure, as soon as he was assured that Bihar was on the path of peace, he would rush back to Noakhali. He knew that his work there was incomplete. The clouds of suspicion and hatred had still not been dispelled.

Destiny, however, had other things in store for him.

9

BIHAR MASSACRES

'An eye for an eye only ends up making the whole world blind.'
– Mahatma Gandhi

It was Bihar that had spurred on Gandhi politically in India, on his return from South Africa in 1915. Gandhi had been moved by the plight of the indigo farmers of Champaran, who were forced to grow indigo and pay heavy rent to British landlords, which turned them into virtual slaves. Gandhi had championed their cause and forced the colonial government to implement agrarian reforms and liberate the farmers. This success had catapulted Gandhi into a position of leadership in India's fight for freedom.

Reporting on the situation in Bihar, Nehru, in a note to Gandhi on 6 November 1946, wrote: 'Bihar is an impoverished agrarian state. Most of its landless rural populace seasonally immigrates to work in the fields of Punjab and other states. At least one member of every rural Bihari family immigrates to other states in search of work. More than a million Bihari immigrants lived and work in Calcutta as labourers, domestic help, rickshaw pullers, artisans and small traders. This was the segment which suffered the most during the riots in Calcutta. They lost their meagre belongings; their small businesses and many of them were slaughtered on the streets of Calcutta. Till 1911-12, Bihar was a part of the Bengal Province. A large number of Bengali Hindus lived in Bihar, relatives of these people were killed in the riots in Calcutta and then in Noakhali and Tipperah. The Calcutta and Noakhali survivors who had managed to flee the riots poured into Bihar and with them came tales of their suffering and gruesome descriptions of the massacres, forced conversions and the most passion rousing details of the crimes against their women. The abductions, rapes, forced conversions and marriages under duress to their abductors, this was a new development and it created a huge outrage amongst the Hindu population countrywide. A large number of Biharis were plunged into sorrow at the plight of their relatives and co-religionists. A wave of anger began to form in Bihar and the rest of India as the stories, embellished with each narration and many a times fabricated to suit the

teller's political motives, began to spread. The time was right for those who saw an opportunity for political gains in this human tragedy'.

Nehru was, of course, referring to the Hindu Right-wing and the Muslim League. The Hindu Right-wing, which had been largely marginalised because of its collaborationist role, desperately needed an opportunity to reinstate itself in the political arena, in an India which was rapidly moving towards freedom. This was their opportunity. They had their cadre well-entrenched in the civil services and the police force. Now they would be activated to support and encourage the agenda of their political and ideological organisation; the country and its well-being be damned. The Hindu Mahasabha and the RSS got actively involved in spreading religious intolerance amongst the aggrieved peasantry of Bihar. They convinced the Bihari that his existence depended on whether he would allow the Muslims to live in their midst or drive them out. If allowed to stay, the Muslims would one day do a repeat of Calcutta and Noakhali in Bihar, unless they first drew blood. Meanwhile, the Muslim League also vitiated the atmosphere by instilling fear amongst the Muslims of Bihar, that they were susceptible to sudden attacks by the majority community. Both the communities were supplied with arms and ammunition. The inflammatory propaganda had reached a crescendo; all that was required was a spark.

The spark was provided in September 1946 in the village of Benibad in Muzaffarpur district. A local Muslim was reported to have abducted a Hindu girl from Calcutta. The Hindu community demanded that the girl be handed over to them and the Muslim agreed to do so in a couple of days. On the promised day a crowd of Hindus reached his home only to find it deserted: there was no sign of the girl or the man. The enraged Hindus gave vent to their anger and the Muslims bore the brunt of it. The police, unfortunately, could not reach the spot in time to prevent the tragedy, since the van, carrying a platoon of sepoys and a magistrate, broke down on the way. However, the guilty Hindus were prosecuted by the Congress party. In response, a pamphlet titled '*Present Miseries of the Hindus of Bihar'*, was issued by the provincial Hindu Mahasabha claiming that there was enough evidence to show that the Muslims in Bihar were planning an organised attack on the Hindus. The latter would be taken unawares and slaughtered like they had been in Calcutta and Noakhali. The 'nationalist, wise and brave act of the Hindus', was being repaid with extreme severity by the Congress government. The Hindus must, therefore, make it clear to the

Congress that they would not allow the power they had given it to be abused!

A strong faction in the Congress began believing that an equally brutal response to the Muslim violence in Noakhali was necessary and justified. They could not say it openly, but their sympathy and support was with the band of Hindu avengers. During the Bihar massacre, many of them believed that this was a justified reaction; they were convinced that it was the strong response in Bihar that kept the 'aggressive' Muslims in check nationwide. These conflicting currents of ideology inherently weakened the Congress and emboldened both the sets of communal extremist groups—the Muslim League, and the Hindu Right wing. The administration and police were very widely infiltrated by active members of the communally extremist organisations. They, along with officers that supported the organisations, effectively sabotaged the government's attempts to bring the situation under control. In many places they even encouraged the acts of violence against the other religious groups. 'It is curious', wrote Nehru to Gandhi, 'how these very officers during the British regime carried out policies against India's national interests'.

Another incident that provoked communal violence occurred in Chapra, headquarters of the Sarna district, a town almost evenly populated by Hindu and Muslim citizens. The festival of Diwali fell on 24 October that year. Due to the losses suffered by almost every family, the celebrations were very low-key. Members of the Hindu Mahasabha instigated the Hindus to celebrate the day by seeking vengeance upon those who had turned their Diwali 'dark'. A prominent Muslim League leader congratulated a gathering of Muslims and asked them to rejoice as they had forced the Hindus to celebrate a joyless festival. '*Aaj Hinduon ke ghar mein maatam ho raha hai. Hum logon ko aaj jashan manana chahiye*,' 'Today there is mourning in Hindu homes. Let us celebrate it by feasting and rejoicing'. This spread like wildfire throughout the town.

On 25 October, public meetings to condemn the massacres of Hindus in Bengal were held in many towns in Bihar, further aggravating an already tense situation. The government had permitted the meetings hoping that by doing so, the pent-up rage would be soothed. Instead, it led to igniting an out-of-control situation. By late afternoon and early evening riots had erupted in nine places in Chapra. Heavily armed mobs had taken to the streets. Overall fifty communal incidents were reported. Police opened fire

on three occasions at three different places. Several instances of stabbing and rioting were reported. Rioting continued on the 26th; the superintendent stopped a large Hindu mob from attacking Muslim bastis of Chapra by firing thirty rounds. He was successful in dispersing this particular mob, but trouble rapidly spread to the rural areas of the district and continued in a planned manner for the next five days before it was brought under control.

The Bihar carnage is graphically described by Pyarelal in *Mahatma Gandhi: The Last Phase*, Part I, Vol. 10 Book Two: 'The local Congress leaders began to arrive in the town from the 26th October. They started touring the interior. On their way they encountered mobs sometimes numbering 50,000. The mobs turned back when they were told that what they were doing might cost them Gandhi's life. By the 27th October all the Congress leaders of the district had arrived and after forming themselves into batches penetrated into the villages. From the 28th October onward no planned attack was reported at any place in the district. The Chief Minister arrived in Chapra on the 28th October in company with his colleague Dr. Syed Mahmud. What they saw flabbergasted them—"We started (by plane from Ranchi) on the 28th October and reached Chapra the same night. About hundred houses had been burnt in the town. About six thousand people had taken refuge in the district school and were in a very bad plight. The next day we went to Paigambarpur. It is a big village. About fifty houses had been burnt here. A similar number of men, women and children had been murdered and burnt in these houses. The police were there. The Muslims said that the Sub-inspector had joined the rioters. As soon as we reached Chapra, we sent some Congressmen. These people reached Paigambarpur by 3 a.m. even then they extricated three people from the fire and saved their lives. The police by that time had disappeared. When Sri Babu, the Chief Minister, and I went there, we saw some frightened women sitting under a tree crying. Skulls and bones met our feet as we trod through the lanes. A man, who had been burnt to charcoal, was found in a sitting posture in one house. In another house the fire was still smouldering. The door outside had been locked. One woman caught hold of our feet and began to cry. She said that the village watchman had snatched her baby from her lap and cut it into two. Sri Babu could not check his tears. He mentioned the incident next day in his speech at Muzaffarpur. Another woman said that she had given all her savings amounting to some thousands in order that the rioters might spare her two little children. The money was

taken, and then the children were butchered in front of her. Most of the villagers were middle class people. Many Muslims complained that the Hindu collector of Chapra had played an important part in the riot. Some of the things that he was reported to have done and said were beyond description". (From Dr. Mahmud's report to Gandhi, 17 February 1947).

'On 31st October they returned to Patna. Reports of disturbances in Patna district and town were sent in: "We sent for the Brigadier in charge of the military to provide military assistance. He said it was unnecessary. In the evening news came that a large number of wounded, including a proportion of old men, women and children, had arrived at Patna and Taregna stations. Two of the wounded women were pregnant, about 50 bodies were lying on the Taregna station even two or three days after". The next day they went to Ranchi to see the general in command of the military forces. From the air they saw below a big village in flames. A mob of ten thousand was surrounding it. "People were literally imprisoned in their homes. Women and children had assembled on their thatched roofs weeping and wailing piteously. They frantically waved their arms to draw our attention as our plane passed overhead. Sri Babu could not stand it. He wept".

'On 2nd November, while returning to Patna after meeting the general, they again saw several villages burning and mobs engaged in looting. Some villages were completely deserted; others were besieged by mobs. In the afternoon they made another flight over Patna district and saw several more villages burning. All this took place within a distance of ten to fifteen miles from Patna, the capital of the province. "The indifference and negligence of the district officers," reported Dr. Mahmud to Gandhi, "seemed to beggar description". In the words of Nehru, "even if they had walked, they could have reached the sites of occurrence in time".

'Dr. Mahmud's report continued: "About three and half lakh (three hundred and fifty thousand) Muslims are said to have fled from Bihar to different places after selling their gold ornaments at a ridiculous price and their homes and property for a song. In one village alone of Tilhari, I saw 5 wells full of dead bodies and another 10 to 12 wells similarly choked with the dead in Dharla village. Where there was a river in the vicinity, the dead bodies were thrown into it. Their numbers cannot be ascertained. Those killed include a high proportion of old men, women and children. There was a large number of infants in arms among the wounded in hospitals. Some women told me how their little ones were murdered in their laps".'

From Chapra (Saran district) the trouble spread to Monghyr, Bhagalpur, Santhal Paraganas, Patna and Gaya districts. On 25 October a procession had been taken out in Patna in observance of 'East Bengal Day'. It terminated in a big meeting at Bankipur Maidan presided over by Prof. Abdul Bari, the Muslim president of the provincial Congress committee. Highly objectionable slogans were shouted by a section of the procession, in spite of the assurance of the organisers that this would not happen. Attempts were made at the meeting to pass a resolution calling on Hindus to avenge Noakhali. These were resisted by the president and some other prominent persons. This happened the following day also. But unlike Chapra, with the exception of one stabbing incident, trouble was averted as a result of elaborate precautions taken by the authorities.

The Muslim extremists had also played their part in inflaming the situation in Patna. On the night of 27 October, they took to the streets, armed with lethal weapons. The mob ran down the streets of Muslim-dominated areas of Patna shouting the battle cry 'Allah-o-Akbar'. Gathering the Muslims from these areas, they brought them to pre-designated centres; here they were supplied with arms and ammunition and instructed to be prepared for the signal to launch attacks. A railway line separated the Muslim-dominated areas from the Hindu areas of Patna. The frenzied sloganeering of the Muslim extremists brought out the Hindu mobs from the surrounding localities in their thousands. The two mobs now faced each other. The Patna police, assisted by many Congress leaders, rushed to the spot and took up position on the railway tracks, right in the midst of the inflamed mobs. After a lot of persuasion the mobs retreated. A section of the Hindu mob regrouped at the village Kumarhar near Patna city, while another mob gathered in a different village. The police intercepted both the mobs before they could go on a rampage. This was on 28 October; thereafter the trouble spread in the rural areas of Patna district, which then became the worst affected. Reports of large scale rioting and arson were received from the Phulwarisharif and Poonpoon police stations on 29 and 30 October, followed by the news of the first terrible massacre at Masaurhi. The riots then spread in the south-east towards Biharsharif and the northern border of the Jehanabad subdivision in the district of Gaya.

As early as 27 October the local authorities at Patna, after consultations with the commissioner, had requested for military assistance to control the situation. But until the 31st, the inspector-general of police, Creed, was of

the opinion that the situation was well under control. On 31 October the request for immediate military assistance was made again. The brigadier in charge of the military garrison dismissed the request saying that it was not necessary as the situation was not 'nearly so bad as that of 1942', referring to the stray incidences of violence that had erupted during the Quit India Movement. The magistrates and the troops finally took up positions in the interior of the Patna sub-division by 3 and 4 November. By the 5th, Gandhi's partial fast as a penance for the Bihar disturbances had commenced. Thousands of leaflets carrying the news about Gandhi's partial fast and his resolve to go on a fast unto death were distributed all over. Nehru and Patel, accompanied by Liaquat Ali Khan and the infamous Sardar Abdur Rab Nishtar, arrived in Patna on 3 November. Dr. Rajendra Prasad, Maulana Azad and Acharya Kripalani joined them soon after, followed by the viceroy. Addressing a big gathering in Patna on the 6th, Nehru said, 'It is a matter of shame for me to come down here and ask you to observe the basic principles of civilised conduct when so many problems, national and international, are facing us and need solution. By no standard of civilised conduct can acts of lawlessness and killing of neighbours be justified. There can be no justification for stooping to bestiality, simply because some fellows have lost their heads elsewhere. What is happening in the Province is pure and simple hooliganism and it is your first and foremost duty to stop it at once at all costs. You cannot shift the responsibility by simply saying that you did not take part in it individually.' Dr. Rajendra Prasad told people that his district was being tainted. The government was determined to handle it with the use of force. Kripalani remarked that 'By indulging in such acts, you have only helped your enemies inside and outside the country and have proved traitors to the country's cause.'

Gandhi addressing worshippers at the dargah of Khwaja Qutub-ud-Din at Mehrauli and inside the dargah on 27 January 1948.

PARACHINAR TRAGEDY WAS RESULT OF PAKISTAN INACTIONS

The recent tragedy at Parachinar (in Kurram Agency) has a background which it is necessary that the public should know, says a Press note issued by the Ministry of Relief and Rehabilitation.

Evacuation of non-Muslims from Parachinar became an important issue at the end of October last when non-Muslims of that town came attacked by neighbouring tribes and about 35 to 40 shops were looted and some burnt. A representation was made to the provincial authorities stressing the need for immediate evacuation of non-Muslims from Parachinar and its surrounding areas and the local authorities agreed that they should be brought down to Kohat from where they would move down by train.

Until such time as the necessary arrangements for evacuation could be completed, it was decided that the non-Muslims should be collected in a camp of tents under proper guard. In the camp they were not given any rations so that they had to buy their requisites at prohibitive prices. They were stripped of all arms and ammunition while their houses were broken into and looted.

Some time later, the local authorities agreed to move about 1,400 of the refugees to Arawali Fort, 13 miles to the south, a warmer and safer area than Parachinar. Actually, however, this move was not effected on the ground that it involved an elaborate protection of routes.

The position continued unchanged till snow began to fall. The Government of India then took up the matter again with the Government of Pakistan. At this time the Governor of the N.-W.F.P. visited Parachinar and ordered the breaking up of the camp. The inmates of the camp, however, refused to return to their homes which had been looted and where they had no safety whatsoever.

Government, thereupon, took up the matter once again with the Government of Pakistan and emphasised the urgency of the evacuation of non-Muslims from Parachinar. After a delay the Government of Pakistan replied that a large majority of non-Muslims in the Agency tract were anxious to stay in their homes and that there was no great danger. Furthermore, it was stated that there was adequate protection in Parachinar, which in rural areas such harassing incidents was unique.

This was in the first week of January. Government were unable to accept this view. The fact that there people had refused to return to their homes and continued to live in the miserable camps was a clear indication

CLEAN-UP DRIVE IN DELHI STATION

REMOVAL OF REFUGEES FROM PLATFORMS

(By Our Staff Correspondent)

Delhi railway station looked clean and neat yesterday when the Railway authorities succeeded in removing a large number of refugees who were living on the platforms during the last few weeks. Only some refugees seek shelter in the verandahs and waiting rooms and in the open space outside the railway platforms.

Dr R. L. Chopra, Divisional Medical Officer of the E.P.Ry., said that sanitary conditions were bad at the station when it was full of refugees. More than two truckloads of refuse thrown by the refugees had been removed every month since September. About 100 sweepers have been engaged in this work. Bleaching powder was often used to dispel bad odour at the station. A first-aid post has been set up at the station where daily passengers are inoculated against small-pox.

Some three cases of small-pox broke out among the refugees living on the platform. Since then about 3,000 people have been inoculated against small-pox and cholera. Medical facilities have also been provided at Muradnagar railway colony.

Sanitary conditions at most stations on the E.P.Ry. between Delhi and Bhatinda and Ambala and Jullundur, have not been satisfactory, the platforms at these stations being occupied by refugees. Only the stations between Jagadhari and Shahdara are clean.

Maulana Azad's Appeal For Funds

In order to carry out the decisions of the Lucknow Conference of Indian Muslims, and bring about a change in their outlook and the general atmosphere among them, it was resolved that a fund of Rs. 1,000,000 should be raised for the work of the committee formed for the purpose, says Maulana Abul Kalam Azad in a statement. "I feel that of this amount the

Gandhiji Attends Mehrauli 'Urs'

(By Our Staff Correspondent)

Mahatma Gandhi visited the tomb of Khwaja Kutbuddin Bakhtiar at Mehrauli yesterday morning, when the Urs is being celebrated. Nearly 10,000 people, mostly Muslims, gathered here.

Gandhiji was received by the Chief Commissioner of Delhi, Mr. Khurshid Ahmad Khan Mushir-ul-Zaman and Congress and Akhar workers. Gandhiji was shown round the huge building where the tomb is located and was informed of the history of the relic.

A representative of the Ajmer dargah inviting Gandhiji to visit Ajmer at the time of the Urs at the dargah of Khwaja Moinuddin Chishti said that though a large number of Muslims had come forward to leave Ajmer during the recent communal disturbances Qureshi's chief wish was to stop the exodus of Muslims who were still there.

Maulana Ahmad Saeed said that Muslims were grateful to Gandhiji for creating an atmosphere in which they were able to celebrate the Urs.

Gandhiji said that both Muslims and Hindus must purify their hearts and in that lay their salvation. He was grieved that Hindus and Muslims were still quarrelling among themselves. He deplored the fact that members of Hindus in a refugee camp in Pura Chinar in the N.-W. Frontier Province by armed Pathans and said their wanton incidents greatly pained him.

Maulana Hifzur Rehman, Congress Secretary, [illegible] that 18 Hindu families [illegible] appealed to Pakistan Muslims to take a lesson from the spirit of brotherhood and goodwill shown by people of Delhi. They should also follow the Government of India in working actively for communal harmony.

There was Kirtan by the Sikhs inside the dargah after Gandhiji left. The action was greatly appreciated by the Muslims.

The function ended with a grand inter-communal party given by Lal Kishanchand Gupta. People from all communities participated in the function. Speeches stressing the need for communal harmony were delivered by leaders of different communities.

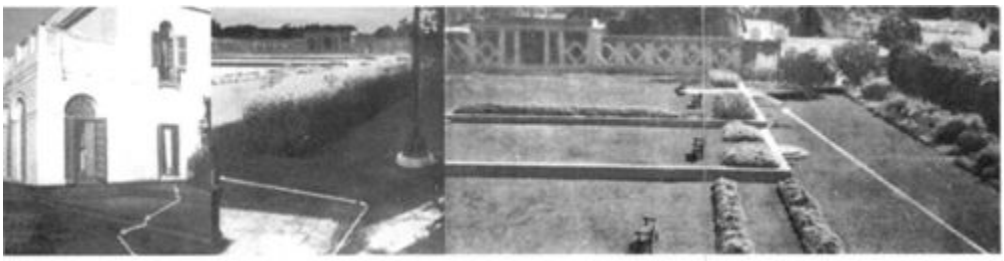
GANDHIJI'S VISITORS

(By Our Staff Correspondent)

Sardar Vallabhbhai Patel, Deputy Prime Minister, Mr. Jairamdas Daulatram, Minister for Food, Maulana Abul Kalam Azad, Minister for Education, the Maharajkumar of Vizianagram and Sardar Pratap Singh called on Mahatma Gandhi yesterday

News of Gandhi's visit to the Mehrauli urs appearing in the *Hindustan Times* on 28 January 1948.

Gandhi flanked by Abha and Manu, his 'walking sticks', at Birla House.



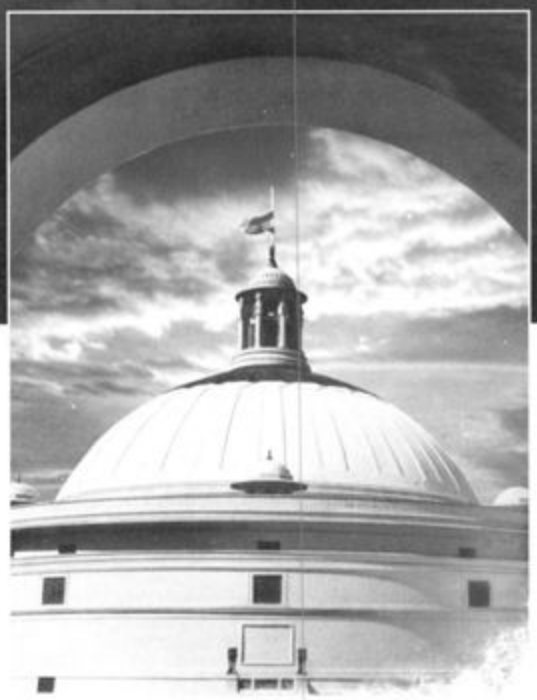
The route taken by Gandhi as he walked from his room in Birla House to where he was murdered on 30 January 1948.

The spot where Gandhi fell on 30 January 1948. Inset: the stone tablet installed at the spot.

Women from Gandhi's retinue and from the Birla household mourn beside his body.

Gandhi's body lying in state, with his chest left uncovered displaying the gun shot wounds.

Nehru addresses the media from the gate of Birla House on the evening of 30 January 1948.



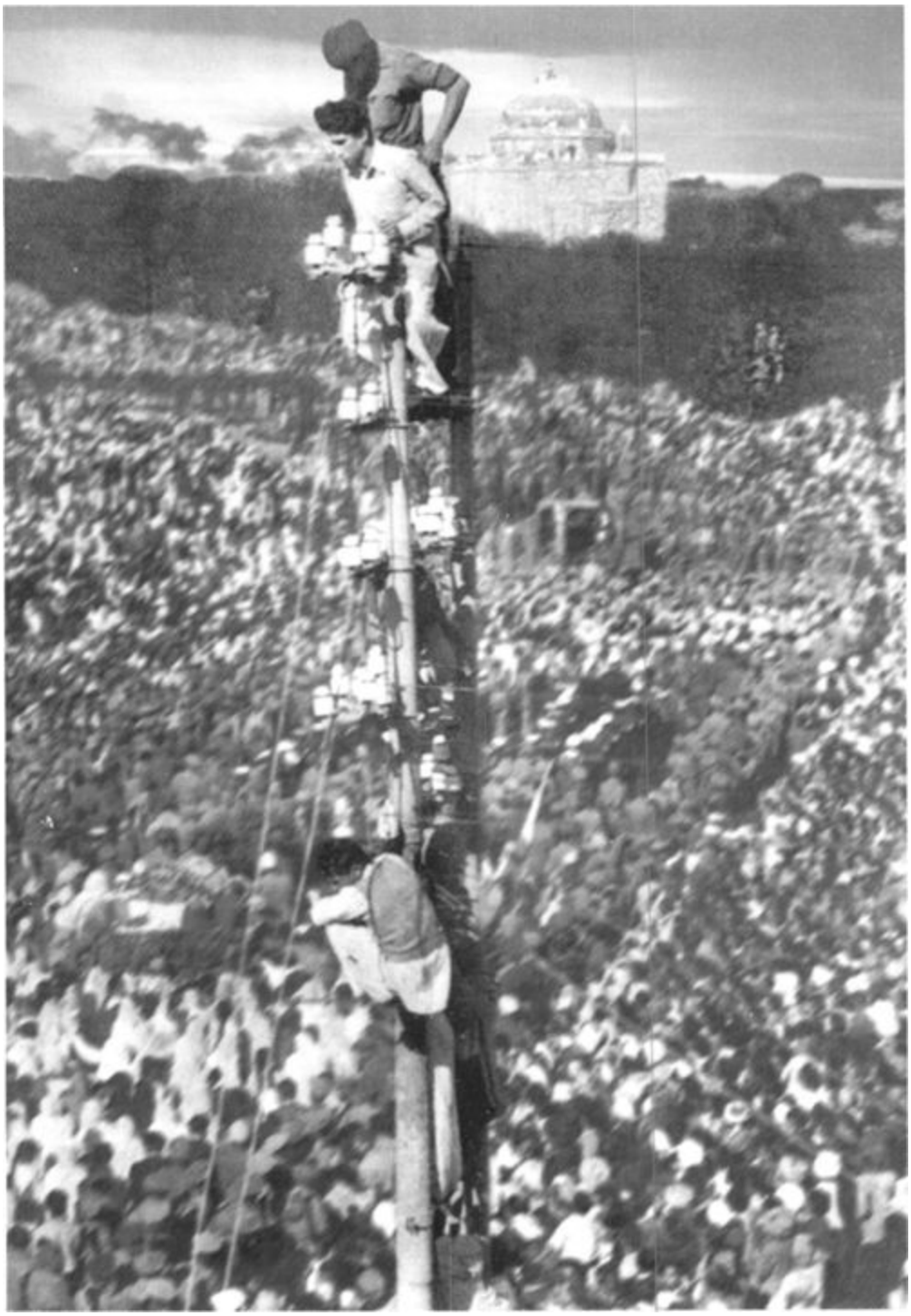
The flag atop Government House flies at half mast.

Gandhi's body draped in the Tricolour, atop the weapon's carrier outside Birla House.

Gandhi's, close aides pray around his funeral pyre.

A forlorn Nehru inspects the preparations for Gandhi's funeral.

Nehru laying a garland on the funeral pyre.



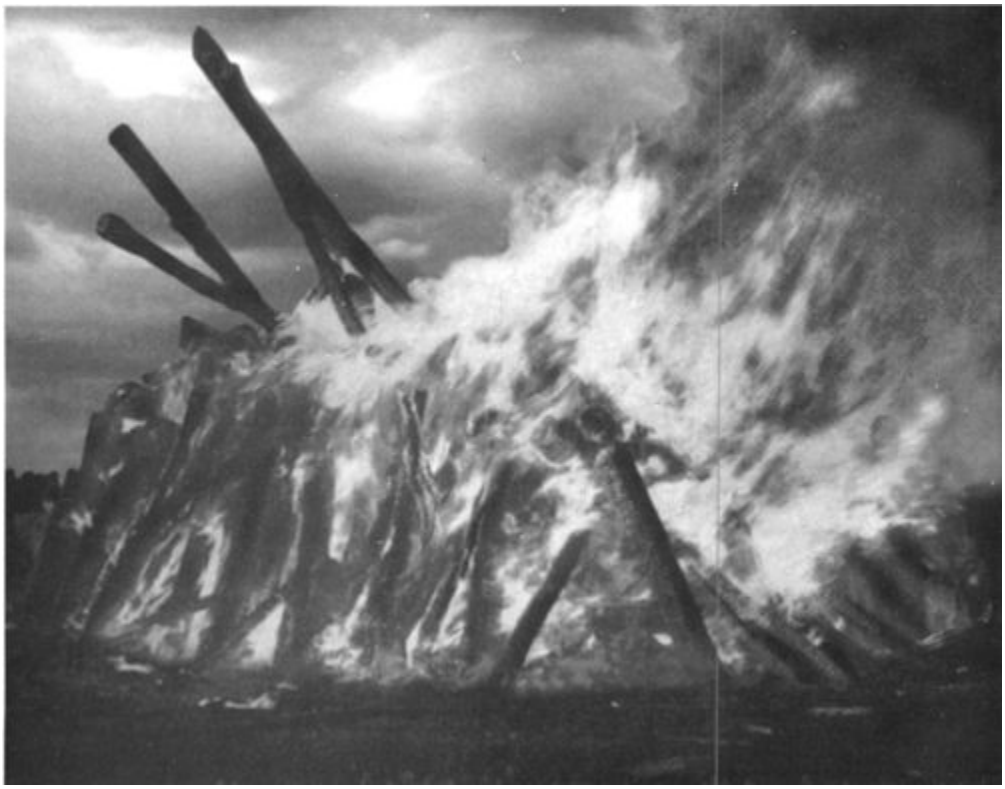
People perched on electric and telegraph poles to catch a glimpse of Gandhi's funeral procession.

(facing page):
The funeral procession winds its way round the statue of King George.

Patel and Ramdas Gandhi console Dr. Sushila Nayyar, Manu and Abha as they bid a tearful farewell to Gandhi.

The funeral procession on Raj Path.

The governor general's Mounted Guards circle the burning pyre in an effort to prevent people from being pushed on to the funeral pyre.



Prime Minister Nehru speaks with Governor General Mountbatten.

Rajkumari Amrit Kaur, the Chinese ambassador and Maulana Abul Kalam Azad flank the Mountbatten family.

On the night of 6 November, Nehru sent the report to Gandhi in which he described how the poor were suffering. But he also mentioned a change in the Bihar situation. 'On the whole the situation is quietening down,' he said. During their flight over Patna, Monghyr and Gaya on the 7th, they found 'The general outlook to be very peaceful, with peasants tilling the field'. By the 8th, Nehru wrote: 'As far as one can judge, the mass

movement against the Muslims is over'. There was a new tendency visible which was hopeful: 'Muslims suggested that the evacuees should return to their villages where they still existed so as to look after their property which they had left in a hurry, and to cut their paddy crops which were ripe. There was a danger otherwise of these being cut and taken away by others. Thus, the primary instinct of self-preservation was giving place to the love of property. This in itself was indication of the return of some measure of normality'.

Of the sixteen districts, six had been affected by the riots. According to government figures, 9,869 houses were damaged or destroyed; 2,186 rounds were fired by the police and military, killing 393 people and injuring 100. Although it was difficult to estimate the exact number of those murdered, the government said the number of Muslims killed in the riots was in the region of 5,400. The Friends Services Unit estimated that the number killed was 10,000. The truth lay somewhere between these two figures.

The Bihar killings ultimately partitioned India. After this there was no looking back: events spiralled out of control, finally leading to the division of India and the massive exchange of population which till then was harped on only by Jinnah and his Muslim League, but was considered impractical and unnecessary by both the Congress and the colonial administration. Bihar was the opportunity the Muslim League was waiting for.

The Bihar Muslim League published a report on the riots on 1 December which was widely publicised by the Muslim League-sponsored press all over India. The leaders of the Congress party and the government were accused of having formed 'an underground council of war against the Muslims which planned and executed the massacres of Muslims and worked as the High Command of the campaign of mass killing'. The Bihar premier, Srikrishna Sinha, who was considered even by the Muslims as their true friend and benefactor, was branded a murderer and accused of having issued 'written orders under his own signature to Government officers that no help is to be given for evacuation and rescue work and that this order is to be strictly followed'. Jayprakash Narayan, the Socialist leader who had severely criticised the Congress and had publicly accused many Congressmen of having participated in the riots, was himself targeted by the League and labelled an 'ultra communalist'. The League's accusations were so reckless and far-fetched, that Nehru was forced to denounce them

emphatically: 'The report is so wild and irresponsible that it becomes impossible to attach importance to what they say'.

The Muslim League's effort were ably helped by the Hindu Right wing comprising the Hindu Mahasabha and RSS, as well as by the Congress' follies. Syed Abdul Aziz, a prominent Muslim League leader and bitter critic of Gandhi, compiled a very damaging report which showed how far the police and civic administration was guilty of aiding and abetting the rioters and criminal inaction. His research showed that, although Muslims were murdered, raped and mutilated and their properties pillaged, in many cases within a few yards of— and in no case more than two miles from— the police station or the magistracy, no action was taken for days to save the lives or property of the victims. For instance, Poonpoon and Hilsa were within a hundred yards of the police station; Masaurhi and Taregna railway stations within three hundred and four hundred yards respectively; Chistipore and Palawapore within half a mile; Attasarai and Manaura within one mile and Kaila within a mile and a half from the police station. In all these places Muslims were systematically murdered and their properties looted. Abdul Aziz concluded his damaging statement saying: 'If the officials and police had any sense of their duty and determination to protect the Muslims, at least 100 constables, 15 sub-inspectors, 10 inspectors, 2 District Superintendents of Police, 10 Magistrates and 2 District Magistrates should have allowed themselves to be killed or injured before they allowed thousands of men, women and children under their direct charge to be slaughtered mercilessly'.

Relief measures and compensations announced by the government reached the survivors at a criminally slow pace. In Benibad, Rs. 45,000 was sanctioned to be distributed amongst the Muslim survivors, but it was distributed only after six months when Gandhi reached the village. The *Statesman,* in a series of articles on the Bihar riots, was severely critical about the way the riots were handled. An article appearing on 8 November, titled 'Disgrace Also', stated: 'A pogrom of such magnitude could hardly happen without premonitory signs. Yet the local administration seems to have been caught unawares'. In another article on 13 November: 'Not only does Bihar's tragedy resemble Bengal's worse one in severity, there can be found dismal similarity in other particulars. Governor's slow moving or not on the spot; Ministers apparently at the outset divided in mind whether some rioting would not be good or bad, and later, amidst the crises of

carnage, quite incapable of disciplining the mob.... The Governor's absence at the critical time has indeed evoked remark'.

After the riots were brought under control the Congress committed a grave blunder. It was a foregone conclusion that there would be a mass movement of Muslims fleeing the riot-torn regions. The government immediately set about establishing refugee camps. To blunt the virulent attack launched by the Muslim League, the shell-shocked Bihar government handed over the responsibility of establishing and running the camps to the Muslim League. Systematically, the League started establishing the camps in such a way that they could segregate the Muslim victims and concentrate them in regions in a manner whereby they could claim maximum territory in the cause of establishing a Muslim homeland. The camps were virtually closed to the Congress. The relief material sent by the Bihar government was claimed to have been sent by Jinnah. Many camps were taken over by bands of khaksars and other fanatic elements; they commandeered a major part of the relief material and rations for their own use. The resulting scarcity was blamed on the Bihar government, thus further aggravating anger amongst the victims. They were made to believe that they would find safety only when they had their own country.

By January 1947 nearly 75,000 Bihari Muslims had migrated to Bengal. The districts in which the immigrants were settled were all on the Bihar border with the aim to turn the area into a Muslim-majority one. This border of Bengal was contiguous with the Santhal Parganas of Bihar, the tribal lands of central India. A document sent to the government, later discovered, revealed that the Muslim League was planning to foment a movement for an independent Jharkhand in collaboration with the tribal people of Chotanagpur and Santhal Paraganas. Jharkhand would then seek union with the aboriginals of the Central provinces and would eventually link up with the Nizam's territories of Hyderabad which was seeking a treaty with the Portuguese colony of Goa. Thus a part of India would be cut out from Bengal in the east, running through its central areas and finally ending on the west coast. The Muslim League was obviously in an advanced stage of setting their plans to split up the country into motion, already establishing contacts with other political organisations. This is apparent from a speech delivered by the secretary of the Santhal Paragana Adibasi Sabha, Kanu Kickoo. Speaking at the Muslim League sponsored 'Division of Bihar Conference', he said, 'It is the highest travesty of

constitutionalism that the *Adibasi,* who form seventy per cent of the total population, have been reduced to a very ordinary majority. Let the Mongol, Aryan or any race for that matter, quit and hand over the country to its genuine inhabitants, *the Adibasis.* Racially and culturally we are distinct entities from the Hindus. Geographically Jharkhand stands out from the rest of Bihar, what we want is simply this: "Hands off Jharkhand".' The League was thus using political groups who were at loggerheads with the administration, to strengthen its ambition of dividing the country.

Pyarelal has perfectly described the situation: 'The scene to which Gandhi was coming was thus chaotic and full of violence. He had to lead people to introspection and self examination; to turn hardened hearts to genuine repentance; to steady friends and win over foes even against what they mistook for their self-interest; to bring love where hatred and cunning ruled; and finally, to call a mighty organisation that had forgotten itself, back to the path of duty, and thereby steady the foundations of democracy shaking at its very inception. His nonviolence was called to the supreme test. Bihar became another outpost in his "do or die" mission'.

Gandhi arrived in Bihar on 5 March 1947. He was asked to detrain at Fatwa, a railway station eighteen miles from Patna, in order to avoid the large crowds and the hordes of press that had arrived. Gandhi immediately beckoned Dr. Syed Mahmud and Prof. Abdul Bari, the Muslim president of the provincial Congress committee, both of them old colleagues and staunch nationalists. 'So, you are still alive,' he remarked with joyless humour. Dr. Mahmud's home was on the banks of the Ganga. During the following weeks, the Ganga played an integral and important role in Gandhi's life. It was his constant companion when he sat down by its bank after the evening prayer to write out his daily post-prayer address or received people for interviews during his evening walks.

Dr. Rajendra Prasad, the premier of Bihar, along with his Cabinet colleagues and members of the provincial Congress committee met him at Dr. Mahmud's residence. Gandhi sat surrounded by his old and trusted lieutenants, but his head was bowed with grief and anxiety. The meeting that day was curtailed as Gandhi was extremely fatigued and needed to rest.

The next morning two workers, whom Khan Abdul Ghaffar Khan had left behind in Patna, came to meet him. Their report of the situation in the interiors deeply affected Gandhi. The vice-chancellor of Patna University, C.P.N. Sinha, came to meet him next and expressed great relief at his

presence in Bihar. Gandhi informed him that he had requested Khan to join them. Sinha asked Gandhi what Khan had thought of the work being done there. Gandhi replied that the ministry was happy with everything, but it was the people, rather than the officers, who would be capable of dealing with the problems. Gandhi said that Khan had further suggested that there be a non-political committee for the purpose and he himself thought it was a good idea. Dr. Rajendra Prasad joined them next. In his earlier meeting with Gandhi he had mentioned that the Muslim League with its National Guards had been preparing for the fight. Arms had been imported into the province from Aligarh even after the outbreak of disturbances. To Gandhi, these statements sounded like a justification of the Hindu violence and was incompatible with genuine repentance. Rajendra Babu went on to say that an economic boycott had been called by the Hindu Mahasabha and RSS combine, and was being imposed in many areas. To tear the two communities apart when their lives were so closely interlinked was totally unacceptable to him.

Later Gandhi visited two senior ailing leaders of the Muslim League. One was Nawab Ismail, a League member of the provincial assembly and former president of the Bihar provincial Muslim League, and the second was Syed Abdul Aziz, eminent Muslim Leaguer, champion of the Muslims and a vociferous critic of Gandhi. The latter had bitterly criticised Gandhi for his delayed arrival in Bihar. However, Gandhi was certain he had to meet them to get a complete perspective of the situation. Late in the afternoon he had a long meeting with the Bihar ministers. He suggested that a commission of inquiry be appointed. 'If we are not quick about the matter, it will lose its effect; we shall be held to have admitted the League's case.' Chief Minister Srikrishna Sinha expressed the fear that the League would make political capital out of it. Gandhi admitted that it was a possibility, but it was a chance they had to take.

Meanwhile, many Congressmen were annoyed with Dr. Mahmud for having called Gandhi to Bihar without consulting them. Gandhi tried to clear this misunderstanding by saying that, 'Dr. Mahmud's letter which has brought me to Bihar was in reply to my peremptory inquiries; he has not acted disloyally towards you.'

Rajendra Babu again met Gandhi on the morning of 5 March 1947 and Gandhi admitted that he was not yet ready with a plan. He mentioned that he was willing to allow exclusive Muslim settlements within the Indian

Union, but he refused either to arm them or accede to the demand for Muslim police and military.

On the 7th, Gandhi received many delegations who wished to report on the Bihar situation. The first to do so were representatives of the Muslim Students' Federation, a student's group aligned to the Muslim League.

They told him the only way Muslims could continue to live in Bihar was by either dividing the state or resettling the Muslim refugees in contiguous settlements. Gandhi refused both the suggestions, saying that he wanted to bridge the gap between the two communities and not widen it. The next to meet him was a delegation from the Jamiat-ul-Ulema, a group representing Muslim religious leaders. Their complaint was that the Muslims were being threatened and intimidated. The Majlis-i-Ahrar, council of elders, reiterated their complaint. A Muslim landowner complained that the crops of Muslim agriculturists were being harvested and taken away by Hindus. Jayprakash Narayan's testimony was extremely critical of the government and the Congress party. An even worse indictment of the Bihar government and the Congress came from the Momin community. They were traditional Congress supporters, yet they too alleged that many senior Congressmen were actively involved in the rioting incidents.

On 8 March, Mohammad Yunus came to meet Gandhi. He had been chief minister in the stop-gap ministry of Bihar before the Congress finally agreed to accept office in 1937. He said that those who had promoted or participated in the riots could be no friends of the Congress, even though they may carry the Congress label. He complained that the Congress was responsible for the League. If the Congressmen had displayed vision and broadmindedness earlier, things would not have come to this pass. Yunus was an old friend and Gandhi felt he could be candid with him. He said, 'Could Jinnah be left out of the picture? Was it not up to those Muslims who thought that he was going the wrong way to try to correct him?' To this Yunus replied, 'That cannot be. Either you follow Jinnah or you get out of the Muslim League.' Hearing this Gandhi remarked, 'Then the future is dark indeed for Islam and for India; more for Islam than for India.'

On 9 March, Binodanand Jha, a member of the Bihar Cabinet, met Gandhi and told him that the government was being falsely accused of being slow in reacting to the riots. Immediately after the riots broke out, the chief minister had sent him to Gaya and Bhagalpur. He said the riots were due to a 'joint conspiracy' between the political opponents of the Congress,

who were opposed to their programme of economic reforms, and the British officials in the services. As proof he produced a pamphlet issued by the Hindu Mahasabha and another by the zamindars. Another pamphlet asked the people to organise themselves and take revenge for Bengal, as the Congress seemed to be unconcerned about the insult to Hindu women in Noakhali and Calcutta. In Bhagalpur, the minister complained, the disturbances were precipitated by the Muslim League's propaganda. It was they who, after getting the Muslims to congregate in large numbers, had aroused passions and set off a chain reaction of violence. The government had information that the arms provided by the government to the Muslims for self-defence had reached the Muslim National Guards. The minister continued that the League had deliberately and falsely implicated prominent Hindus. They did not want things to settle down.

On 11 March, the round of interviews continued. All the Muslim delegations that came to meet him pressed upon Gandhi to accept the idea of a division of Bihar on communal lines. Even the Jamiat-ul-Ulema, which claimed to be a nationalist organisation, now advocated the implementation of the separatist solution. All the Muslim groups which met Gandhi in Bihar condemned the Congress most severely. On receiving a letter full of abuse from a Muslim League sympathiser, Gandhi said, 'The only answer to all the violence that fills the atmosphere can be pure and unadulterated non-violence.' At the evening prayer he said that innumerable saints had laid down their lives in tapascharya, penance. But that tradition of non-violence was now dead. It was necessary to revive the eternal law of answering anger by love and violence by non-violence if humanity was to live.

To influence the Muslims who had still not thrown in their lot with the League, Jinnah had published many exaggerated reports of the Bihar riots. A pamphlet named the 'Pirpur Report' graphically listed the atrocities on the Muslims in Congress-ruled provinces of India. Barrister Sheriff of Patna compiled a similarly exaggerated report running into two volumes in Patna. Mohammad Ismail, a prominent member of the Muslim League Working Committee and former president of the Bihar provincial Muslim League, was reported to have remarked to Dr. Rajendra Prasad in the course of a conversation regarding the report that 'seventy-five per cent of it was admitted to be false on the floor of the Legislative Assembly and the remaining twenty-five per cent has been proved to be false!' When Rajendra Babu, as Congress president, offered to have the complaints of the Muslim

League investigated by an impartial authority and suggested the name of the chief justice of the federal court, Sir Maurice Gwyer, for the job, Jinnah turned down the suggestion saying that 'the matter is now under His Excellency, the Viceroy's, consideration and he is the proper authority to take such action and adopt such measures as would meet our requirements and restore complete sense of security in those Provinces where the Congress Ministries are in charge of the administration'. The viceroy did not take note of Jinnah's comments, and nor did the latter make any attempts to persuade the viceroy. He was content with spreading calumny.

On 12 March, Gandhi began his tour of the interiors. The first village he visited was Kumarhar, barely three miles from Patna junction railway station. The mobs had neither spared the madrasa, religious school, nor the masjid. It was the same in the next village Gandhi visited, which was Parsa. On the way, his car was stopped by villagers of Sipara who presented a purse to him, which Gandhi discovered had some coins and a letter of repentance. Speaking that evening at Abdullah Chak, Gandhi remarked that he wanted every Indian to feel that he had a share in every evil deed committed anywhere in India, no matter by whom and against whom, and upon all lay the burden of undoing it. There were only two paths before the country, he remarked at Khusrupur, the next place he visited: the path of returning blow for blow, and that of unadulterated non-violence. The Champaran Satyagraha of 1917 was an education in the latter. But recent happenings in Bihar had forced him to the conclusion that their non-violence was that of the weak.

On 15 March a delegation of members of the Muslim League Relief Committee, led by Phulawari Sharif, met Gandhi and asked him several questions about the refugees. His answers showed that where previously he had hesitated to offer his view, after his visit to the affected areas, he had formed a very forthright opinion. The villagers asked him directly if it was safe for the Muslims to return to their villages. He replied that, if they had the courage and requisite faith in God, he would ask them to go back. As a result of his experiences during his visits to the villages, Gandhi concluded that things had so far settled down that the refugees could go back to their homes.

Khan Abdul Ghaffar Khan—the Baluchi leader and former Pathan chieftain who had along with his tribe given up the path of violence and formed the brigade of Red Shirts the 'Khudai Khidmatgars', Servants of

God—was prevailed upon by the Congress and several non-Congress people to visit Bihar, after the riots. Such was the respect that he had earned from one and all by virtue of his selfless service, sincerity and moral fervour, that he could speak with authority to both Hindus and Muslims alike. He did not mince words, and the Bihar ministers listened without rancour. 'India today seems an inferno of madness and my heart weeps to see our homes set on fire by ourselves,' Badshah Khan, as he was also known, remarked at a joint gathering of Hindus, Muslims and Sikhs held at Gurdwara Har Mandir, the birth place of the tenth and last guru of the Sikhs, Guru Gobind Singh, in Patna city. 'I find today darkness reigning over India and my eyes vainly turn from one direction to another to see light.' He was fed up of power politics, he said, and was deeply pained at the hatred which he saw being preached all over India. As a 'servant of God' he was eager only to serve suffering humanity. Reporting on the occasion, a press correspondent wrote: 'The sincerity of the man which shows so transparently in every word he says has left a deep impression on his audiences. There was nothing new in what he said. Nevertheless, the few simple words coming from a heavy heart struck an answering chord in many of his hearers. The scenes of fraternisation which marked one of Frontier Gandhi's [another name for Khan Abdul Ghaffar Khan] meetings and the coming together of all communities in places of worship are reminiscent of the *Khilafat* days'. When Gandhi arrived in Patna, Badshah Khan was travelling in the interiors; from there he wrote to Gandhi: 'You are right. Our *Ahimsa* is on test. When I see politicians surrounding us wrongly using the name of God and religion to propagate hatred, I begin to hate politics.' Immediately on learning about his whereabouts, Gandhi sent for him. From then onwards he became a constant companion, Gandhi's silent shadow, his rock-like support, till the very end.

The 16th of March was Gandhi's day of weekly silence. He requested Badshah Khan to speak on his behalf after the evening prayers. In deep anguish, Badshah Khan said he found himself surrounded by utter darkness, which increased the more he thought of the future of India. He could see no light despite his best efforts. If India was burnt down, all of them would be the losers. He was a Khuaai Khidmatgar and so he was in their midst. He reminded them that their responsibility had greatly increased, especially after the British declaration that they would quit India in fifteen months. They had to remember that what could be achieved through peace could

never be achieved through hatred or force. They had Europe as an example to learn from. Addressing the Muslim Leaguers in general, he added that if they desired a Pakistan, they could have it only through love and willing consent.

The next phase of his tour through Bihar would take Gandhi through one of the worst affected areas, Masaurhi, where entire villages had been wiped out. When trouble broke out in other parts, the Muslims of Masaurhi began to congregate at their strongholds, strengthening the suspicions of an eminent attack that the Hindu Mahasabha and RSS had warned the villagers about, to instil fear. On the night of 30 October, loud cries of 'Allah-O-Akbar' rent the air. What set off this sudden outburst of provocative sloganeering was never established, but it spread panic amongst the Hindus. As the siren of a cloth mill owned by a local Hindu Mahasabha leader was sounded, Hindu 'volunteers' took to the streets shouting 'Mahabir Swami Ki Jai', a slogan in praise of Lord Mahavir the Jain saint who had founded a religious sect devoted to non-violence. The Muslims quietened down. Some Congress workers interceded, ensured a temporary peace and both sides withdrew. The next day some Muslims panicked and fled to the railway station to board any trains going to Patna. The mill owner spread a rumour that Muslims had attacked the railway station and in the skirmish that followed, some Hindus had been killed. A large mob of Hindus proceeded towards the railway station, where there were Muslims, mostly old men, women and children, waiting to board the train to Patna. Over the next few hours the station turned into an abattoir. Almost all the Muslims trapped at the station were caught and butchered. The rest survived because of the presence of mind of an engine driver. Just as the attack began, his goods train was preparing to leave. The engine driver detached the engine from the wagons and headed towards the next junction where he contacted the authorities and brought back a large group of armed forces to Masaurhi. A group of Muslims had barricaded themselves in the booking office, which had been set on fire. The armed forces were just in time to save those Muslims.

When Gandhi arrived in Masaurhi four months later, only twenty-five Muslims from the original number of a thousand remained. Gandhi remarked that in a report that had been handed to him, it had been stated that the initial aggression at Masaurhi had come from the Muslims. However, he was not concerned as to how the trouble actually started or

who started it. What he was concerned to know was how the Hindus, who were in such overwhelming majority, could indulge in the killings of innocents. The Muslims had also complained that the government was indifferent to their suffering. Gandhi added that he was not there to adjudicate; his was the humble role of a reformer and humanitarian. The government had already declared that they would appoint an impartial commission to go into the causes of the disturbances and what reparation should be made to the sufferers.

On his way to the prayer meeting that evening, Gandhi visited Andari and Gorraiakhari, two villages in Masaurhi. Andari had a population of 462 Hindus and 168 Muslims before the riots. Muslims from the surrounding villages had congregated in Andari on 30 October 1946. When news of the Gorraiakhari massacre had reached the village, they were advised by the military to evacuate. But the Muslims were confident that, armed with a gun and a pistol, they could repel any attack. The attack came on 2 November; the three constables posted there for the protection of the Muslims opened fire, killing seven attackers, but were later forced to flee in the face of a large mob, according to a government report. When Gandhi visited the village, he did not find even one Muslim there. The government reports stated that till date one case had been filed; of the twenty-nine accused, one had been arrested, another had surrendered in court, processes had been issued against the others, and thirteen persons in the area had been detained under the Bihar Maintenance of Public Order Ordinance of 1946. The Gorraiakhari village had a population of 400 Muslims and 20 Hindus. The government report stated that 119 Muslims had been killed, 11 injured and 12 were missing. The village was completely deserted. Gandhi moved through the eerily silent lanes with a heavy heart. That evening, Gandhi was so grief-stricken he could not bring himself to speak. Instead he utilised the meeting to collect donations for the Muslim victims from the congregation as a mark of penance for the grave sin they had committed.

The following day Gandhi camped at Bir, from where he undertook visits to the surrounding riot-ravaged villages. On 20 March he returned to Masaurhi. Speaking after the evening prayer, he said, 'I am scared to describe the kind of devastation I have seen in the past few days, for fear of breaking down with grief. It is your duty to rebuild what you have so ruthlessly destroyed. You have committed a crime and it is for you to do

penance for it.' He said he would accept names for a volunteer corps for relief and rehabilitation for all the ravaged localities.

While Gandhi was trying to soothe the people, news of further trouble started pouring in from Punjab and Noakhali. The Muslim League, emboldened by the tacit support of the colonial administration, had launched 'Direct Action' in Punjab, in a similar manner as in Calcutta, with similar results. Agitated by the tales of rabidity filtering through from Punjab, the Hindu Mahasabha and RSS began organising their cadres to observe 'Punjab Day' as a day of revenge for the events in Punjab, in a volatile Bihar. The Muslim League announced its intention of observing 'Pakistan Day' in Bengal; the more the polarisation, the more the hatred and suspicion, the better their political prospects.

On 21 March Gandhi shifted to Hasadiha village, where he met several Muslim refugees from surrounding villages; in the afternoon he met with village representatives. He advised them that normal relations would only be re-established if the Muslims withdrew all the criminal cases against the Hindu rioters.

On his return to Patna on 22 March, Gandhi spoke about his experiences over the six days he had travelled through the devastated villages at the evening prayer meeting. Patel had written to Gandhi that some peace seemed to have been established in the Punjab through military measures.

Gandhi arrived at Jehanabad station on 26 March 1947 to be welcomed by a huge crowd. Of the three sub-divisions affected during the riots in Gaya district, Jehanabad was the worst. Two gangs were known to be the chief troublemakers. Some areas had managed to ward off the trouble-makers. One such person was Sakal Babu, a local headmaster. With the help of his students and some locals, he had patrolled the surrounding villages of Daulatpur, Nagma and Rasalpur day and night until the entire Muslim population had been safely evacuated to Jehanabad. Nine months later the Hindus of Daulatpur were still guarding Muslim homes. One Muslim told a member of Gandhi's entourage, that his property had been so well protected that on returning home after he was reassured of his safety nine months after the riots, he found that the plate containing the half-eaten meal he had left hurriedly during the riots was still lying undisturbed!

After resting for a bit, Gandhi visited the refugee camp at Kako village, which had about five hundred Muslims. Some of them were from Saistabad in Ghosi police station—the worst affected police station in the sub-

division. When Gandhi had reached Jehanabad, Mridula Sarabhai—who was travelling with him—had, without consulting him, asked the authorities to make appropriate arrangements for Gandhi and his entourage. When Gandhi realised that his promise to the Muslim Leaguers, that he would live with local Muslims in every village, would be broken due to the new arrangements, he tried to send a message to them explaining the situation. They had already taken affront, however, and—without giving him a chance to explain—passed a resolution accusing Gandhi of a breach of promise. This was released to the press and widely publicised amongst the Muslims of Jehanabad. This saddened Gandhi, who felt that they should have allowed him to apologise and explain the situation prior to condemning him.

The next day Gandhi visited the refugee camp at Amathua village; a predominantly Muslim village, they had escaped any attack due to the arrival of the military in the nick of time. The camp was under the charge of the Muslim League and the refugees were thus primed to respond with acrimony and bitterness. Their representative read out a petition, which was more of a document accusing the Congress and its government. At Ghosi the representative came to meet Gandhi and said that the Muslims had faith in Gandhi and trusted no one else. He added that the Muslims would suffer again once Gandhi left Bihar, but the latter gave him all assurances. He said he had conferred with the government and had met almost all the leaders of the provincial Muslim League; he would see that justice was done to the Muslims. However, he added that he did not agree with either his or the League's suggestions. There had been a constant demand that at least fifty per cent of the policemen and officers in charge of new police stations that were being established to create confidence, should be Muslims. Gandhi refused to support any such demand here, nor did he think that such a demand from non-Muslims in Pakistan would be countenanced either. 'Therefore, I say, there is no other course to Hindus and Muslims than to be friends one of the other.'

The Muslims alleged that by repeatedly referring to Noakhali in his public speeches in Bihar, he was likely to make the Hindus think that what they had done was only a reaction to Noakhali. Would this not create difficulties changing their way of thinking. Gandhi said that the inference was incorrect, for he had not spared the Hindus. In fact there was a time when he used to be equally plainspoken with the Muslims, too. He had even

fasted for twenty-one days for what they had done in 1924. The Muslims did not then regard him as their enemy. But of late, he had to confess, that when he spoke about Muslims, he did so very guardedly. 'I avoid reference to Noakhali as much as I can. But to avoid it altogether would not be right. I must not remain silent in the face of the disturbing news that keeps coming in from Noakhali and the Punjab, if only for the sake of the Bihar Muslims. The two are so interlinked.' Gandhi was then asked his opinion of the Bihar government's decision to appoint Reuben of the Indian Civil Services as the sole judge on the Bihar Inquiry Commission set up to probe and report on the riots. Gandhi replied that it was fine if the one-man commission could be trusted to do justice. If, however, they had no confidence in Reuben, they could suggest somebody else, but to suspect someone simply because he was a non-Muslim was not right.

That afternoon Gandhi had a meeting with representatives from surrounding villages and some Muslim refugees. A report of the morning's meeting was read out, and then the villagers were asked to bring up any issues not touched upon in the meeting.

During the latter part of March 1947, a lightning strike by policemen took place in Bihar, which threatened to add to the volatile situation. Ever since his arrival in Bihar, Gandhi had felt that the infiltration of communal elements in the police was one of the main reasons for the success of the rioters, and the extent of the carnage.

A special train brought the party back to Patna on 28 March at 10 pm. Some members of the entourage left immediately by car on arrival, taking a shorter route to reach the camp earlier than the main party. They were greeted at the camp entrance by a couple of grave-faced Congressmen. Prof. Abdul Bari, the Muslim president of the Bihar provincial Congress committee, had been shot dead by a Gorkha sentry of the anti-smuggling force that evening. While returning from a trip to the rural areas, Prof. Bari's car had been stopped and challenged by the sentries of the anti-smuggling force. The sentry had pointed his gun at Prof. Bari, when he failed to respond. Prof. Bari was known for his short temper, and seeing a gun pointed at him, he jumped out of his car and rushed forward to snatch the rifle from the sentry. The other sentry, without waiting to ascertain the identity of the person, had levelled his gun at Prof. Bari and shot him at point blank range. In losing Bari, Bihar had lost one of its most noble and illustrious sons and an astute nationalist Muslim. The incident had sparked

off many rumours and created a lot of panic. The Gorkha sentry was an ex-member of the INA, and the rumour that INA men were targeting prominent Muslims started doing the rounds.

On 30 March 1947, Gandhi left for Delhi in response to an invitation from the new viceroy, Lord Mountbatten. He planned to return to Bihar after a fortnight. The viceroy had extended an invitation to both Jinnah and Gandhi. He had offered to send his personal York aircraft to pick Gandhi up from Patna, but the offer was declined. He would travel by a regular train in his favourite third class compartment surrounded by his countrymen. Sarabhai had booked two adjoining compartments to provide a buffer between him and other passengers, as she was concerned about him. But nothing escaped Gandhi's eye. At midnight, when the train reached a station, he called for the station master and told him to open the compartment to the general public. He spent most of his time doing his own secretarial work.

Arrangements had been made for him to detrain at a small station near Delhi. As he was being driven to his residence at the Harijan Colony, he requested the driver to stop, saying it was time for his morning walk; he got out of the car and walked the rest of the way. At three that afternoon Gandhi met the new viceroy for the first time. Very little or almost no politics was discussed. The viceroy asked Gandhi about his early life and education in England, about his fight for equal rights in South Africa and the early years of satyagraha. Gandhi was equally eager to meet Mountbatten and discover the man behind the title. They both knew that this was their last chance to hammer out a peaceful settlement of the Indo-British question. Gandhi was greatly impressed by the new viceroy's sincerity, gentlemanliness and nobility of character.

Gandhi woke at three the next morning, his usual time, even though he had retired very late the previous night. At five Rajkumari Amrit Kaur came to see him; Maulana Azad followed at half past six. This was followed by meetings with Nehru, Rajaji, Rajendra Babu and lastly Patel, who arrived at nine to take him for another meeting with the viceroy. Gandhi's lunch was brought to him in the middle of the meeting by Manu and one of his secretaries, Brijkrishna Chandiwala. After being introduced to Manu, the viceroy told her, 'You are a lucky girl. My daughter tells me she feels jealous of you on seeing your photograph with Mr. Gandhi. I shall be sending her to attend your prayer meeting.' As Gandhi had his lunch the

viceroy joined him with a cup of tea. Gandhi asked the viceroy if Manu could roam the gardens so that they could continue their talks uninterrupted. 'Certainly,' replied the viceroy, 'all this is yours; we are only trustees. We have come to hand it over to you.'

'You can search her person for any hidden arms,' Gandhi said and laughed.

'I am perfectly satisfied there can be no need for that in a disciple of yours,' replied the viceroy with a smile.

The talks started from where they had been left the previous day. The viceroy told Gandhi that it had always been British policy not to yield anything to force, but Gandhi's non-violence had won. They had decided to quit as a result of India's non-violent movement for freedom. Towards the close of the meeting, on being invited to do so, Gandhi placed before the viceroy his solution of the Indian deadlock. He reiterated what he had often said: that he had no objections to Jinnah or the Muslim League turning the whole of India into Pakistan, provided it was done by appeal to reason and not under the threat of violence. But while he had previously held that this could be done only after the British had quit India, and while in principle he still adhered to the view, the crux of his present proposal was that he was now prepared, under Mountbatten's umpireship, not as a viceroy but as an unbiased individual, to invite Jinnah to form a government of his choice at the Centre and to present his Pakistan plan for acceptance even before the transfer of power. The Congress would give its wholehearted support to the Jinnah government. At the same time, since the Muslim League would now be the government, it would have no further excuse for continuing the movement of organised lawlessness which it had launched in some of the provinces. These must be called off. Further, since the viceroy had declared that he was out to do justice only and *nothing would be yielded to force*, if the League did not accept the offer, the same offer *mutatis mutandis* should be made to the Congress. The old policy of trying to please both parties must be given up.

Mountbatten was faced with a dilemma; he liked the proposal but it went against his duties as viceroy. His preference naturally was in terms of his directive for a solution 'which leaves such good feeling that the Indian parties will want to remain in the Commonwealth'. This was intrinsically an admirable and worthy sentiment, but a curious irony of history had charged it with a tragic implication. Jinnah was not prepared to look at any formula

which might even by implication commit him to a recognition of India as one entity, and among the British officials it was a 'political commonplace' that with the transfer of power 'Pakistan would become the last outpost of British Imperialism' and 'the anti-British bias of the Congress would quickly prevail'. The part relating to 'the anti-British bias' of Congress was found to be erroneous prejudice as evidenced by the tumultuous reception and ovation given to Lord Mountbatten as he was sworn in on Independence as the first governor general of free India. But for the time being their pet prejudice prevailed and they threw their weight against Gandhi's plan. Apart from the danger of a civil conflagration, this would have forced them to make their choice between the Congress and the League and drop one or the other 'packet', as Lord Morley referred to the two, from the Commonwealth bag. Lord Mountbatten felt he could not risk the practical for the problematical, even though the latter might appear to be the ideal solution, and so they were all drawn into the deep tragedy which held the whole situation in its grip and in which the British government was consciously or unconsciously cooperating, to bring about the failure of its own declared intentions. Like characters in a Greek tragedy, they were victims of the sins of their predecessors from the consequences of which there was no escape. Gandhi told the viceroy what must have sounded cruel to his ears, that the system of British policy of 'divide and rule' had brought about a situation in which the only alternative to a continuation of the British rule, which they had found was no longer feasible, was to accept the logic of the 'Quit India' demand and retire unconditionally, leaving India to its fate. The role of peacemaker in the 'communal triangle' which they had themselves helped create was not for them.

Mountbatten found the plan attractive and suggested that Gandhi discuss it with Lord Ismay, the viceroy's chief of staff, so that Ismay could give it a proper structure. But whereas Gandhi understood this to mean that the viceroy wished the plan be made into a formal agreement, the viceroy and his advisors had, in the meantime, come to a different decision. The viceroy felt that he had moved too impetuously in allowing himself to be almost persuaded to advocate Gandhi's plan before he knew what the alternatives were and what the views of the other parties were. The plan was discussed in the viceroy's staff meeting on 5 April, and dubbed 'an old kite flown without disguise'. The consensus was that 'Mountbatten should not allow

himself to be drawn into negotiation with the Mahatma, but should only listen to advice'.

The British officials in New Delhi had regarded the Gandhi-Irwin Pact of 1931 to have been a political blunder of great magnitude on the part of Irwin, which must never be allowed to be repeated. It was assumed that Patel would vehemently oppose the plan suggested by Gandhi; the viceroy's advisors felt sure that he would stand his ground. But they were apprehensive that Nehru would succumb to Gandhi's influence if he thought that the viceroy also favoured Gandhi's plan. In one of his letters to Nehru, Gandhi referred to the 'surrounding atmosphere of which the Indian element is the author' and which might 'overwhelm' the viceroy 'as it may well do any of us'. The freelance advisors, with their 'tips', and 'inside information' about Indian leaders, their personal weaknesses, idiosyncrasies and even internal alignments which these friends were ready to purvey to the British officials could not have inspired them or the viceroy with much respect for Indian character. Some of them later claimed credit for putting across to the Indian leaders, formulae which they had previously denounced as unpatriotic.

At Lord Mountbatten's instance, the matter was again discussed among the members of his staff in the afternoon of 5 April. The conclusion reached at the end of the day was that 'it was essential to make clear to Nehru, before Gandhi got to work too hard on the Congress, that Mountbatten was far from being committed to the Gandhi plan, and that it would need careful scrutiny'. Nehru was accordingly notified about the viceroy's second thoughts. When he saw Gandhi that evening with a note from Lord Ismay, it was with 'at least one fatal objection to the plan'. That did not discourage Gandhi, who was still under the impression that the viceroy was wholeheartedly with him. Gandhi wrote to Mountbatten that Nehru's difficulty could be overcome if the two of them were of 'one mind'. In reply he was informed that his original policy of learning a great deal more about the problem before taking any line was the one which the viceroy intended to follow. And so the friendship which had commenced so happily received a severe jolt at the very start.

The following is an extract of the correspondence between Gandhi, Mountbatten, Ismay and several Indian leaders during his stay in New Delhi, Pyarelal's *Mahatma Gandhi: The Last Phase*, Vol. 10, Part II.

Gandhi to Lord Ismay:

5th April 1947

Nehru gave me what you have described as an outline of a scheme. What I read is merely a copy of the points I hurriedly dictated, whereas, I understood from His Excellency the Viceroy, you were to prepare a draft agreement after the lines of the points I had dictated....

Lord Ismay to Gandhi:

6th April, 1947

I think that there has been some misunderstanding about the form of the short note which I prepared last Friday. As I understood it, Lord Mountbatten ... asked if you would be so good as to spare a little more time for a talk with me about your plan, in order that I might prepare a short note summarising its salient features in general terms. He had no intention ... that I should attempt any thing formal or elaborate.... He confirms that my interpretation of his wishes was correct.

Gandhi to Lord Ismay:

6th April, 1947

The very thought that at the threshold of my friendship with Lord Mountbatten and you, there can be any misunderstanding at all fills me with grave doubt about my ability to shoulder the burden I have taken upon my weak self ... I can only say that there must be some defect in my understanding or my attentiveness if I misunderstand very simple things. I do not feel inclined to reproduce the talk about this topic except to mention one thing, viz. that H.E. mentioned Menon [V.P. Menon, the reforms commissioner] to you and said you should prepare something in conjunction with him and I was to give you the points which were to become the basis of the draft you were to prepare....

Since writing this, Badshah Khan came into my room and I find that he confirms the gist of the conversation with Lord Mountbatten as described by me and adds that when we went to your office I told you that I had only to give the points as I hastily thought of them in order to enable you and your draftsman to prepare a draft agreement.

Lord Mountbatten to Gandhi:

7th April, 1947

Ismay has shown me your letter to him of 6th April, and we both are most upset to think that any act, or omission, on our part should in any way increase the great burden you are bearing. I therefore think it right to send you the following personal explanation.

As we were parting last Friday afternoon, I said that your plan had many attractions for me and ... I asked Ismay to make a note of its salient features, and I authorised him to talk it over in confidence with the Reforms Commissioner. I am extremely sorry if by these observations I gave you the impression that I wished your plan reduced to the terms of a formal agreement.

As I explained to you during the many talks that we have enjoyed, my aim has been and is to keep a perfectly open mind until I have had the advantage of discussions with important Indian political leaders with the object of seeking an agreement between all parties, so that peace can be restored in the country and an acceptable basis for transfer of power to be worked out. When these preliminary conversations have been completed, I shall then have to make up my mind as to what I am going to recommend to His Majesty's Government, and before I do so, I shall most certainly take advantage of your kind offer of further discussion with you.

Gandhi to Lord Mountbatten:

8th April, 1947

Many thanks for your two letters of 7th instant. As to the first, I am glad that as I read it, whatever misunderstanding if there was any, was of no consequence.

The concluding portion of Gandhi's letter to Ismay on 5 April said: 'I must add that Nehru has at least one fatal objection to the outline. But I will not tax you with its mention here. If the outline appears workable to His Excellency, I would like to wait on him once more and discuss Nehru's objection'. That stage, however, never arrived. The Congress high command's wagon had by then been irrevocably hitched to Lord Mountbatten's star. A gradual change had been coming for some time,

particularly under the impact of Lord Wavell's plan for the transfer of power. The salient feature of that plan was transfer of power province-wise, with dissolution of the existing Centre. This—with six hundred and odd Indian states, all declared independent; the Muslim League provinces forming themselves into a separate state by voluntary association, which, as things stood, would have meant the loss to the Indian Union of the whole of Bengal and perhaps also the Punjab; certain parts of the country that were centrally administered left without any constituted authority; partisan factions in the administration, in the army and in the police free to accentuate the internal disruption—would have meant confusion and chaos all over the country. The prospect was disturbing for the Congress leaders. Slowly the pendulum began to swing in favour of letting the Muslim League provinces form themselves into a separate state—which in any event could not be prevented—while demanding a division of Punjab and Bengal. A picture of the cross-section in the Congress mind is furnished by a letter that Patel wrote to a friend in Bombay on 4 March 1947, before Mountbatten's arrival in India: 'If the League insists on Pakistan, the only alternative is the division of Punjab and Bengal... I do not think that the British Government will agree to division. In the end, they will see the wisdom of handing over the reins of Government to the strongest party. Even if they do not ... a strong centre with the whole of India—except Eastern Bengal and part of Punjab, Sind and Baluchistan—enjoying full autonomy under the Centre will be so powerful that the remaining portions will eventually come in'.

It was in a jungle in Noakhali in the last week of February 1947, that the plan of tearing Bengal into two was brought to Gandhi's attention by Dr. Amiya Chakravarty. Gandhi was visibly pained by it. What was then a faint whisper now became a 'trumpet call'. On 4 April, a statement signed by the Hindu members of the Central Legislature from Bengal was submitted to the viceroy It demanded the formation of a separate autonomous province of West Bengal within the Indian Union. It also called attention to the immediate need for the introduction, as a transitional measure, of two regional administrations with separate ministries under a common governor for the two parts of Bengal. This was necessary, it added, to avoid further bloodshed. On the same day, the executive committee of the Bengal provincial Congress committee passed the following resolution: 'If His Majesty's Government contemplate handing over its power to the existing

Government of Bengal, which is determined on the formation of Bengal into a separate sovereign State and which by its composition is a communal party Government, such portions of Bengal as are desirous of remaining within the Union of India should be allowed to remain so and be formed into a separate Province within the Union of India'.

Gandhi strove with the CWC for the acceptance of the plan he had outlined to the viceroy. There were heated discussions, confused counsels, frayed nerves. Gandhi and Badshah Khan were strongly opposed to any partition under the British aegis. To Gandhi's mind, for the Congress to ask for partition of the Punjab and Bengal by the British sounded like a counsel of despair. He was opposed to the entire idea of partition; it would solve none of their difficulties. On the contrary, it would accentuate those that were already there and create fresh ones. But he could not convince them, nor they him. The next day he reported to the viceroy his failure to carry the Working Committee with him. His colleagues and he had come to a parting of ways.

Gandhi to Lord Mountbatten:

11th April, 1947

I had several short talks with Nehru and an hour's talk with him alone; and then with several members of the Working Committee last night about the formula I had sketched before you and which I had filled in for them with all the implications. I am sorry to say that I failed to carry any of them with me except Badshah Khan.

I do not know that having failed to carry both the head and heart of Nehru with me, I would have wanted to carry the matter further. But Panditji was so good that he would not be satisfied until the whole plan was discussed with the few members of the Congress Working Committee who were present.

I felt sorry that I could not convince them of the correctness of my plan, from every point of view. Nor could they dislodge me from my position although I had not closed my mind against every argument. Thus I have to ask you to omit me from your consideration.

Congressmen who are in the Interim Government are stalwarts, seasoned servants of the nation, and therefore so far as the Congress point of view is concerned, they will be competent advisers.

I would still love to take the place that the late C.F. Andrews took. He represented no-one but himself. If you ever need my service on its merits it will be always at your disposal.

In the circumstances above mentioned, subject to your consent, I propose, if possible, to leave tomorrow for Patna.

Another side to the talks with the viceroy had been the joint appeal for communal peace with the signatures of Jinnah and Gandhi under Mountbatten's aegis. On the eve of his departure for Noakhali, in October 1946, when Lord Wavell had made a similar proposal, Gandhi had felt that it was addressed to the wrong person. But circumstances had since changed; both sides had tarred themselves with the same brush. His old objection still remained but Lord Mountbatten pleaded that if Gandhi did not sign Jinnah would not. His signing the appeal would inspire confidence in the masses and help stop the holocaust. In the face of that argument Gandhi could not refuse. The following was the text of the appeal:

'We deeply deplore the recent acts of lawlessness and violence that have brought the utmost disgrace on the fair name of India and the greatest misery to the innocent people irrespective of who were the aggressors and who were the victims.

'We denounce for all time the use of force to achieve political ends and we call upon all the communities of India, to whatever persuasion they may belong, not only to refrain from all acts of violence and disorder, but also to avoid both in speech and writing, any incitement to such acts.'

The appeal was signed by Gandhi in Devanagari, Persian and Roman; by Jinnah only in English. Gandhi pressed strongly that since Kripalani was Congress president, his signature be added to Jinnah's since he alone had the authority to speak on behalf of the Congress as Jinnah did with respect to the Muslim League. To exclude the Congress president's signature from the appeal would mean acceptance, by implication, of Jinnah's accusation that Hindus and Muslims were two nations—Gandhi being the spokesman of the one as Jinnah claimed to be that of the other. But Jinnah would not yield on that point. Lord Mountbatten had put a straight question to Jinnah whether the issue of a joint peace appeal would put the Muslim League at a 'political disadvantage'. To this Jinnah had replied in the negative. Mountbatten pleaded with Nehru that he should not keep at that point, if only to give him (Mountbatten) an opportunity to test Jinnah's bona fides. Nehru, on merits, fully agreed with Gandhi. But in the face of this

argument, he fell in line with Mountbatten. The following telegrams were exchanged between Gandhi and the viceroy in this connection:

Lord Mountbatten to Gandhi:

13th April, 1947

Mr Jinnah is perfectly ready to sign statement deploring acts of violence etc. which you signed before you left Delhi provided that your and his signatures are the only ones that appear on the document. As you mentioned that you thought Mr Kripalani's signature might also be added, though I gathered that you did not make this a stipulation, I am not issuing statement until I hear from you. Nehru is agreeable to leaving matter to my discretion, but I feel I must have your views. Unless statement bears your signature alone Mr. Jinnah will not sign. May I therefore appeal to you to agree?

Gandhi to Lord Mountbatten:

(Patna) 14th April 1947

Am of opinion President Congress should also sign. You should know reason for exclusion President Congress. However I leave final decision to you and Panditji.

Lord Mountbatten to Gandhi:

15th April, 1947

'I am glad to inform you that Nehru also agreed to leave the decision to me. I consider it so vital that the appeal should be issued, that I thought it best that it should go out over the signatures only of yourself and Mr. Jinnah.'

The net result of Mountbatten's move was to prolong an unnatural situation in which the use of violence continued to pay fabulous dividends to the League. If the appeal had come as a result of a spontaneous effort by the parties concerned, it would have had some chance of being implemented. As it was, it provided the Muslim League with opportunity for yet another manoeuvre on the chessboard of diplomacy. The comment of the *Dawn*, the mouthpiece of the Muslim League, was illuminating: 'There is novelty in the manner of the dramatic appeal which the leaders of India's two nations have signed. But there is hardly anything in it which the Quaid-i-Azam has not said before without anybody's prompting ...

'The next step should follow without much delay and in the logical sequence. We stress the word "logical" advisedly because the very fact of the Viceroy having chosen the Quaid-i-Azam and Mr. Gandhi for the purpose of an appeal of this kind being conveyed to the public is tantamount to a recognition that two voices and not one must speak in this context. Why is it necessary that two should make such an appeal if it is not recognised that there are two peoples, two nations, who would respect their own respective leader only?'

And again:

'Mr. Gandhi has been persuaded by the Viceroy to denounce violence "for all time: as a means to the attainment of political ends", but the Mahatma's political heirs and successors remain still unpersuaded.'

To expect the League to throw away their only weapon, which Jinnah had claimed they had forged, would have been wishful thinking. But Gandhi reasoned with himself that, even if the Muslim League was not sincere, the joint appeal having been issued at Mountbatten's instance made the viceroy party to it by implication and put upon him the burden of its full implementation, which he would not fail to discharge. This implication, the viceroy has since stated, he did not accept, though he told Gandhi that he would do everything in his power to help bring about communal peace. Be that as it may, Gandhi felt this was not enough. But neither then nor with subsequent pleading could he induce the viceroy to change. The peace appeal, consequently, remained a dead letter and Gandhi expressed his disappointment over it more than once.

While all this was happening in Delhi, Punjab was burning. The Muslim League had unleashed a reign of terror there too. Hindus were being terrorised, their properties looted and burned, their lands usurped, their women defiled and entire minority communities, living amidst a majority of Muslims, massacred. The stories of the atrocities in western Punjab were inflaming the rest of North India. Slowly a steady trickle of Hindu refugees fleeing West Punjab began seeking refuge in New Delhi and its outskirts. The numbers were increasing by the day. Fanatic Hindu organisations began infiltrating the refugee camps and encouraging people to take revenge. All of North India was waiting to explode. The leaders were surprisingly unconcerned, however; Gandhi was the only exception, but he found himself completely isolated.

Gandhi returned from the penultimate session of the Asian Conference in time for the evening prayer meeting. As soon as the recitation from the Koran commenced, a Hindu Mahasabha youth jumped up and shouted, 'This is a Hindu temple, we will not let you recite Muslim prayers here.' Volunteers tried to remove the interrupter from the meeting, but Gandhi intervened. 'I shall not proceed with the prayer so long as there is a single person objecting. I want to ensure the fullest freedom to the dissenting minority.' The young man tried to work his way up to the rostrum but was prevented from doing so. Gandhi moved half-way down to meet him saying, 'Let no one come between me and this young man.' The same sequence of events occurred the following day as well. On the third evening, as Gandhi was proceeding to the prayer ground, a letter was put in his hands purporting to be from the president of the Sweepers' Union, stating that they did not wish him to stay in the Harijan Colony; but the letter was proved to be fake. That evening too, three people objected to his reciting verses from the Koran. Thus each day his ahimsa was put to the test. On the fourth day, he woke up with the thought: 'Why does the opposition at the evening prayer still persist?' He told Manu that his striving for non-violence and truth could be nullified not only by a mistake on his part, but even by flaws in his colleagues. Since she was conducting the prayers, it was for her to ask herself whether the verses she uttered came from the fullness of her faith. The fanatical opposition to the prayers must cease if her prayers came straight from her heart. He was greatly troubled; after a talk with Maulana Azad, he sadly remarked: 'It seems God will not let me live for long.'

His penance bore fruit at last: a leader of the RSS came to see him that evening and assured him that there would be no more interruptions at his prayer meetings. 'Let no one imagine,' Gandhi observed, in his after prayer discourse, 'that we have had no prayer for the last three days. We did not pray with our lips but we prayed with our hearts, which is by far the more effective part of prayer. In this those who have opposed have also helped, though unconsciously. Their opposition has helped me to turn the searchlight inward as never before. You might be tempted to ask what I mean by giving so much of my time and energy to such trifles, when negotiations are in progress with Lord Mountbatten on which hangs the fate of the nation. Let me tell you, for me there is no big, no small. They are all of equal importance. In Noakhali, in Bihar, in Punjab, in Delhi, even in this

prayer ground the battle of undivided India is being lost and won daily. The experience here today has provided me with the key to success elsewhere.'

The 6th of April marked the commencement of 'National Week'. It was on this day in 1919 that satyagraha against the Rowlatt Act was launched by observing the day as one of prayer and fasting throughout India. The spontaneous mass upsurge it evoked was a soul-stirring spectacle, signalling the awakening of India. A week later the Jallianwala Bagh incident in Amritsar occurred.

Khwaja Saheb Abdul Majid, a nationalist Muslim leader and a very old friend of Gandhi, came to see him during National Week. He was deeply grieved by the impending division of India, but tried to laugh away his sorrow. 'Bapuji is now going to drive us out of India in our old age,' he remarked. 'When India is divided, I shall come to take asylum with you. You won't let the Hindus murder me,' he added playfully. Gandhi interjected, 'If a fanatic should kill you, I will dance with joy! My misfortune is that I don't have many like you who would die bravely and without anger. If I had even half a dozen like you, the flames that threaten to devour us would be put out and peace would reign in India in no time.' Little did Gandhi realise that, just nine months later, Khwaja Saheb would be the one who would recite the fateha, the Muslim funeral prayer, over his bullet-riddled body.

The summer of 1947 was one of the hottest Delhi had experienced in a long time. Gandhi wrapped a wet cloth over his head, his 'air conditioning', but a far more sinister and volatile wind of hatred was blowing across his beloved country, threatening to consume all in its path and the country itself. Outwardly he appeared calm and serene, but his mind was in turmoil. He was being flooded with hate mail; he was given names like 'Mohammad Gandhi', 'Maulana Gandhi', 'Communalist', while yet another called him 'Jinnah's slave'. All of them amused Gandhi, who said, 'It is the people who conferred the title of Mahatma, these epithets, too, are a gift from them; they are equally welcome.'

The role of the British colonial administration and British commercial interests in India was not only considered suspect in the eyes of the Indian leadership, but was also seen as an irritant to the smooth progress towards transfer of power by the last viceroy. Someone had written to Gandhi saying that he should beware of the designs of the British; they were still up to their old tactics. The new government in Britain and its representative, the

viceroy, were sincere about their intentions to transfer power, but there was widespread apprehensions that his intentions might be sabotaged by forces that had so often before successfully defeated British aims. It was not an idle fear or the imagination of a conspiracy theorist. Lord Mountbatten had himself admitted feeling constrained to bring home to the higher British officials and the permanent services the urgency that actuated British plans and intentions.

'People's minds are perturbed,' remarked Gandhi on the evening of 10 April. 'They ask me whether Lord Mountbatten would be able to deliver the goods or whether he would be forced to eat his words in the face of organised non-cooperation of the various entrenched British elements in India. Anything is possible in the prevailing circumstances. The dawn of freedom has appeared but we do not feel the glow of its sunrise. We do not know whether what we see is true dawn or false. We are trembling between hope and fear. So far the British officials and commercial interests have ridden on our backs. Let me tell them, it is now high time that they made up their mind to get off our backs. The Viceroy has declared that the British have finally decided to withdraw from India by the 30th of June, next year, and his declaration is backed by the full authority of the British Parliament. Churchill and his party seem determined not to give in without a fight. But fight or no fight, the British power has got to go. I have sounded this note of warning so that if there are any elements again heading for the wrong path, they may pause, reflect and desist.

'I am further told that the British officials and the commercial community are behind the present communal trouble. Lord Mountbatten has become apprehensive, lest what is being alleged against them may after all be true. It is up to the British elements in India to dispel his doubts.

'The success of Lord Mountbatten's mission is bound up with the loyal cooperation of the British commercial interests, the British army and the British civilians in India. If what is being said about them is true, it is a tragedy and they are not being loyal either to the people of India or their own. I appeal to them to help the Viceroy in the peaceful transfer of power. I hope the Britishers will leave India not as enemies but as friends.'

His advice to his own people was that they should beware of anything untoward; however, his plea fell on deaf ears. Neither did the British vested interests curb their mischief nor did his political heirs avoid the traps expertly prepared and laid out for each one of them. All the Indian leaders

were manipulated expertly according to the profiles of their strength and weaknesses and the methods to be used to ensnare them by the British administration. Gandhi was left standing alone.

On 12 April, Gandhi left for Patna. He wrote to Patel the following day:

'There was one thing I wanted to ask you but could not as there was no time ... I see I ought now to write something in *Harijan* ... I also see that there is a wide and frequent divergence of views between us. In the circumstances, is it desirable that I should see the Viceroy even in my individual capacity?

Think over it dispassionately, keeping only the country's interest before you. Discuss it with others if you like. There should not be even a shadow of suspicion in your mind that I am making a grievance of it. I am only thinking as to what my duty is in terms of the highest good of the country. It is just possible that in the course of administrating the affairs of the millions you can see what I cannot. Perhaps I too would act and speak as you do if I were in your place.'

And so they all—Mountbatten, the CWC and the Muslim League—for different reasons and differing one from the other, went together into the same cry: the 'nation's voice' became a 'voice in the wilderness', in the arena of high politics in the land of his birth. With her motherly instinct Sarojini Naidu discerned the pathos of the situation, Gandhi's utter spiritual loneliness, the wide gulf that separated him from his friends and opponents alike, and which at three score and eighteen was sending him once again to plough his lonely furrow in Bihar, where over a quarter of a century ago he had made his debut in Indian politics and launched upon a career which in the course of a single generation had changed the face of the country under their very eyes. She wrote:

Beloved Pilgrim

You are, I learn, setting out once more on your chosen *Via Dolorosa* in Bihar.

The way of sorrow for you may indeed be the way of hope and solace for many millions of suffering human hearts. Blessed be your pilgrimage.

I am still incredibly weak or I should have attempted to reach the Harijan Colony to bid you farewell.

But even though I do not see you, you know that my love is always with you—and my faith.

Your Ammajan
Sarojini

Back in Bihar, after the stifling heat and even more stifling political atmosphere, Gandhi felt at ease. He had reasoned with the leaders of all sections and failed. The only thing that could possibly prevent the partition of India now was a radical change in the overall situation. Verbal persuasion alone would not do the trick, however, he would have to set about creating a milieu in which the parties would be compelled to think afresh. But he was running out of time.

Gandhi was to be in Bihar for less than three weeks, but nevertheless made a supreme effort for the people there. Since the days of the Champaran satyagraha, Gandhi had always held the people of Bihar close to his heart. The betrayal, by his own, caused him extreme anguish. Two days later, he severely took to task a section of Hindus who had complained against the levying of punitive tax on an area, where the locals were not helping the authorities arrest absconders accused of crimes during the riots. 'How disloyal of you to shelter fugitives from justice! You complain that innocent people are being victimised for the misdeeds of the hooligans but when the government wants to take action to make people cooperate in the arrest of the criminals, you raise a hue and cry. True, those who are harbouring the absconders are few but the remedy is in your hands. You should bring to light the real culprits so many may not have to suffer for the sins of a few.'

During the past few months, as Gandhi had been busy in Bengal and Bihar, he had been unable to keep abreast with the activities of the various organisations he had founded or patronised that were engaged in constructive work and societal reforms. A series of meetings were organised in Patna so that he could catch up and guide the workers of these organisations. Over the next few days he met representatives from *Nai Talim,* his model of progressive education, and Rashtra Bhasha Prachar Samiti, the committee which was working towards the propagation of Hindustani as the national language of free India. 'Now that *Swaraj,* self rule, is coming,' he wrote to a co-worker, 'we need the co-operation and service of every individual for sustaining it. In 1942, X. carried on

mendacious propaganda outside India not only in respect of me but even in regard to poor Kasturba's illness and demise. But today we must make use of his talents, too, as we are doing. The same applies to constructive work organisations. We should discard old prejudices. We need to harness the energy of each and all to build up our strength'.

He met with workers of the Sadaqat Ashram, and the Harijan Sevak Sangh, a body of volunteers engaged in the removal of untouchability and the uplift of the untouchables. He said that what was needed now was the cultural and economic uplift of the Harijans so that the very distinction between 'touchables' and 'untouchables' would be obliterated. This insistence to obliterate caste barriers and create a homogenous and classless society was one of the many causes for anger against him in certain high caste Hindu circles.

Gandhi's sharpest criticism was reserved for the Bihar ministers whom he met just before departing for Delhi. He had received a complaint that they had not been implementing the rehabilitation policy they had agreed to in his presence. 'I am told that the ministers tell me one thing and do another,' he said to them. 'That is not how we shall be able to attain or to maintain independence. If you nod assent merely to flatter me, you are being unfaithful to me, to your people and to your trust. I do not claim to be infallible. If what I say does not appeal to you, you should straightaway tell me so and try to convince me of my error. By nodding a formal assent when you actually believe me to be wrong, you wrong me and put yourself in the wrong. You must realise that what is happening in the Punjab, Bihar and Bengal is hindering Indian independence.'

Gandhi was very severe on those who were close to him. He expected them to be blameless; when their failings were seen by him or reported to him, he felt as though their failings were a reflection of his own weaknesses. He expected the ministers there to set an example of propriety in independent India.

That night he went to bed at half past nine. Due to the tormenting heat he had reduced his food intake to the barest minimum. As a result he was feeling weak and his blood pressure had also risen. He had forgotten to do his day's quota of spinning. Just as he lay down on his mattress and shut his eyes, he suddenly remembered the forgotten chore. This would not do, he thought. He got out of bed, prepared the spinning wheel and faithfully spun the daily quota. He then went to sleep, at peace with himself.

The 29th of April 1947 was the last day of Gandhi's stay in Bihar. While bidding farewell to Bihar in his post prayer speech that evening, he requested the people of Bihar to show their affection towards him by working for communal unity, and not by thronging at railway stations. At this age I cannot stand the shouting of the crowds. Moreover, I hate to hear *"Jai"* shouts, they remind me of the Hindus who massacred innocent men and women, just as the Muslims killed Hindus to the shouting of *Allah-o-Akbar.* I know of no greater sin than to oppress the innocent in the name of God.'

With this message he took leave of Bihar. He was going back to the national capital where more political intrigue awaited him. He was certain that he would not be able to wean his political colleagues away from the path they had chosen. He had also realised that his influence over them was on the wane; they had found a new guiding light—Lord Mountbatten. Gandhi was doubtful how effective his stay would be in influencing the course of events, but the eternal optimist was keen to try his best. If his faith in the power of truth and ahimsa did not waver he would find a way, and he felt certain that even at the proverbial eleventh hour he would be able to steer his country away from partition and the resulting human tragedy. Unfortunately, time would tell that he would not succeed.

10

A LONESOME MAHATMA

'Willing to cut off the head in order to get rid of the headache!'
– Justification for accepting Partition

'I won't call the police. I might be killed but you will afterwards feel sorry for it and weep over what you have done. If, on the other hand, I retaliated or called the police, I might still be killed but those who shall have killed me would then have a good reason to gloat over their success.'
– MAHATMA GANDHI, January 1947

'One calls himself my beta, *the other calls himself my* chela. *Par meri koi sunta nahin, But no one listens to me anymore.'*
– MAHATMA GANDHI, January 1948

The situation preceding the transfer of power in New Delhi was becoming a hotbed of intrigue and political chicanery. The chief villain in this plot of conspiracies and deceit was the Political Department of the colonial administration. Along with the Muslim League ministers in the interim government, they were continuously up to mischief. The Congress had parted with the Finance portfolio when the Muslim League joined the interim government. This put the pursestrings of the government in the hands of the Muslim League ministers, and they made full use of this gift from the Congress to infiltrate government departments. This lack of foresight caused more grief for the Congress leaders, than any of their other blunders.

Evidence of the complicity of the Muslim League and the various wings of the Political Department, and the subversive activities of their agents were reported from all over the country. A group of commandos who had been working behind the Japanese lines in Burma under Brigadier Wyngate, were found to be engaged in disruptive activities in India; how they infiltrated into India was never explained. Officers in the British Indian

Army were known to be active in the efficient trade of arms siphoned off from the military. Secret dumps of illegal arms and explosives were discovered in many places in' India. In one instance, a cache of over a thousand stenguns was discovered at Nagpur, Jabalpur, Kanpur and several other places. Narayan Apte procured a stengun in Pune with ease at about this time. The Congress high command had documentary evidence of the complicity of the Political Department with certain princes in hatching a conspiracy to further fragmentise India. It revealed a well-laid out plan to run in large supplies of arms through some of the princely states to organise a D-day all over India. Godse procured the Beretta automatic pistol which he used to murder Gandhi, from a princely state, Gwalior. In the face of all this, the Congress leadership, to quote Nehru, became at last willing 'to cut off the head in order to get rid of the headache'!

Immediately on his return to Delhi, Gandhi was confronted with the worsening political and communal situation in the country. On 1 May he was extensively briefed by Nehru at his camp in the Harijan Colony. Gandhi told Nehru very firmly that the Congress must not allow itself to be dragged into the game of diplomacy with the British to score any advantage over the League. In no case should they barter India's unity for any concession at British hands, but should instead demand that the British abandon their middle-of-the-road policy and play straight, strictly enforce the rule of law throughout the country pending the transfer of power, and refuse to have parleys with a party that was remiss in that respect or refused to cooperate; and if the British were unwilling, to go out of the game and bide their time till they quit, leaving the Indian parties to settle it among themselves.

The CWC met that evening. By now Gandhi had realised that, although the Congress leadership made a show of listening to his advice, they very seldom acted on it. The Congress leaders knew that, unless their actions were endorsed by Gandhi, they would not be acceptable to the party rank and file or to Indians in general. So they prevailed on Gandhi to attend the meeting. He remained a mute spectator at the meeting where the Congress pushed through the resolution accepting the partitioning of India in principle. The operative part of the Working Committee's decision accepting the principle of partition was contained in the following letter from Nehru to the viceroy: 'In regards to the proposal which, I presume, Lord Ismay is carrying with him to London, our Committee are prepared to

accept the principle of Partition, based on self-determination applied to definitely ascertained areas. This involves the partition of Bengal and Punjab. As you know, we are passionately attached to the idea of a United India, but we have accepted the partition of India in order to avoid conflict and compulsion. In order to give affect to this partition, every effort should be made to meet the wishes and the interests of the people affected by it. Even before and apart from such partition, recent events have made an administrative division of both Bengal and the Punjab an obvious and urgent necessity.

'Any proposal to put an end to a duly constituted Provincial Government having a large majority at its command, and to hold elections as a result of terrorism must be considered a surrender and must be resisted'. This part of Nehru's letter alluded to the nefarious designs of the Muslim League and the British governor of the NWFP, where a Congress government headed by Dr. Khan Saheb, Khan Abdul Ghaffar Khan's brother, was in power. The Muslim League had unleashed a reign of terror with the connivance of the colonial governor, and had convinced the Central administration that the only solution was to dissolve the democratically elected Congress government and install a puppet government of the Muslim League, which would then vote to merge the province with Pakistan. At this point the plan was a closely guarded secret on paper, but it was to be implemented very soon. The Khan brothers, ardent nationalists and bitter foes of the Muslim League, were a thorn in Jinnah's flesh. Jinnah and his colleagues in the League were worried that, under the leadership of the Khan brothers, the Pukhtoons would vote to stay with India, refusing to be subjugated by the Punjabi-Muslim majority which would dominate Pakistan. If that happened, even if they succeeded in forcing the creation of Pakistan along with independence, they would not be able to sustain it for too long. They had to deal with the Pukhtoons decisively, and with the collusion of their colonial patrons they did just that.

Even now Gandhi refused to accept partition as the only solution and rejected the reasoning that it was a necessary step to avoid chaos. He had previously expressed his views in this regard in a message to a British news magazine, *Cavalcade*, saying that no organic peace was possible without complete independence, including the withdrawal of British troops and influence from India. Imposed peace could only disturb human relations: 'Hence establishment of organic peace in India inevitably involves senseless

strife. This will end quicker when no party is able to look to British power for protection. Forced emasculation of a great nation was bound to have sad result. No doubt much would depend on Indian wisdom for minimising mischief. While connection dissolves, honesty and sagacity of British statesmen and British residents in India are equally necessary. I must regretfully say that distrust of British statements has gone too deep and that perhaps legitimately. Therefore, British dealings have to be strictly frank and above suspicion at this critical moment'.

In his own mind Gandhi was convinced that there was no reason for the feared chaos to tear India apart if the British rulers and higher officials dealt with the situation honestly and sincerely. But if everyone's worst fears came true and the nation was plunged into chaos let loose by the withdrawing British, and he was asked to choose peace imposed by the fear of the British, he would unhesitatingly choose chaos. Under no circumstances would he choose partitioning of the country at British hands as the price for peace. But the Congress leadership was not willing to play the waiting game. They were afraid that the longer they waited the greater trouble the Muslims League would create, and the entire country would slip out of their hands. Gandhi pointed out to them that Jinnah's declaration that the minorities in Pakistan would be fully protected was being honoured more in the breach than in the observance. It was incumbent upon the British power to denounce the guilty party, but for that they were not ready, which made their bona fides suspect in his eyes. If the Congress accepted the logic of partition, it would ultimately lead to conflict and the disintegration of India for which future generations would have to pay the price.

That evening, in his post prayer speech, Gandhi referred to the joint appeal for peace signed by Jinnah and himself at the behest of the viceroy. It was not open to Jinnah to plead that his followers did not listen to his appeal. It would remove the ground from under his feet because he was the undisputed president of the All India Muslim League, and the League claimed to represent the vast bulk of the Muslim population. Where was the authority of the League if the Muslims resorted to violence to gain its political aim which was summed up in the word Pakistan? Was the British government to yield to the force of arms rather than the force of reason? The viceroy had solemnly declared that nothing would be yielded to force. There was no meaning to issuing the joint appeal unless it was certain that it meant for both the signatories all that the words thereof conveyed: 'May I

ask the viceroy why he is a silent witness of all this? Why does he not hold me or Jinnah *Saheb*, whoever is remiss in the implementation of the joint appeal, to account? And if the British cannot make the Hindus and Muslims to live at peace with one another, why do they not retire leaving them to square it out among themselves?' But even if the British did not leave, he went on to say, the answer would not be to take up the sword. 'You are greatly mistaken if you think the British will yield anything to force. And that should be an object lesson to you, too. If you learn to die to the last man, no-one can take anything from you by force.'

Gandhi broached the issue of the breach of the joint appeal and the responsibility of the viceroy as its proposer, during his meeting with Mountbatten on 3 May. The viceroy maintained that both the signatories had freely and willingly signed it, and he therefore had no responsibility. The viceroy was reluctant even to apportion responsibility for the continuation of disturbances and name Jinnah and his Muslim League as the culprits. His sole purpose was to transfer power in a peaceful manner to Indian hands as quickly as possible. He was most anxious that India be united. It would not rebound to the credit either of Britain or of India if communal strife continued. If strife continued in spite of his best endeavours during the period of the liquidation of the British power, he finally assured Gandhi, he would not hesitate to use the services of the military.

However, there remained a basic divergence in their outlook. Gandhi was not able to bring either the Congress leaders or the viceroy to approach the problem of unity and communal harmony in a manner which called for the implementation of the difficult, but right, formula. While Punjab was burning and the tide of lawlessness and communal frenzy was threatening to engulf the whole of India, trouble erupted again in Noakhali. Gandhi asked Mountbatten whether he should go to Punjab, as was being repeatedly requested by his friends there, or to Noakhali, where he had unfinished business. 'Nehru agrees. Nevertheless I would like you to guide me. This outbreak of violence is not a mere detail. If it cannot be dealt with now, it won't be fourteen months hence.' Mountbatten replied, 'I quite agree that these outbreaks are not a mere detail. What we have to secure is a settlement between the parties at the Centre and, if possible, a combined front against violence.' The British colonial administration, in their twisted desire for revenge, played one Congress leader against the other and

secretly encouraged Jinnah and the Muslim League to create more and more trouble so that finally, when India was free, it would be a Pyhrric victory.

Pyarelal writes: 'The divergence persisted till the end. The policy of trying to please both parties continued and with that the phantom hunt for a "combined front" with the perpetrator of violence to bring violence under control while the death roll mounted up, converting the country into a vast powder magazine'. Replying to a question posed by Doon Campbell, special correspondent, Reuters, whether he believed that the communal division of India was inevitable, Gandhi said, 'Personally, I have always said "no" and I say "no" even now.' He was then asked, 'Do you subscribe to the opinion that the British will be morally obliged to stay on in India if the outstanding Hindu-Muslim differences have not been resolved by June, 1948?'

This was the first indication to Gandhi that there was a behind-the-scenes lobby working towards prolonging British withdrawal and postponing independence under the pretext of communal strife. It was believed that even the new viceroy, Mountbatten, had hinted at such a possibility, provided the Indian parties invited the British power to remain, though personally he regarded this to be a 'most unlikely contingency'. Gandhi made it clear that British withdrawal—'noblest act of the British Nation', as he had called it—if it was to be honestly and fully carried out, must take place according to schedule, irrespective of internal conditions. He replied, 'It would be a good thing if the British were to go today—thirteen months means mischief to India. I do not question the nobility of the British declaration, I do not question the sincerity of the Viceroy, but facts are facts. Neither the British Cabinet nor the Viceroy, however outstanding he may be, can alter facts. And the facts are that India has been trained to look to the British power for everything. Now, it is not possible for India to take her mind off that state all of a sudden. I have never appreciated the argument that the British want so many months to get ready to leave. During that time all parties will look to the British Cabinet and the Viceroy. That being so, the thirteen months' stay of the British power and British arms is really a hindrance rather than a help, because everybody looks for help to the great military machine they have brought into being. That happened in Bengal, in Bihar, in the Punjab and in the North-West Frontier Province. The Hindus and the Muslims said in turn: "Let us have the British troops". It is a humiliating spectacle. I repeat: The British will have to take the risk of leaving India to chaos and anarchy. This is so

because there has been no Home Rule; it has been imposed on the people. And when you voluntarily remove that rule, there might be no rule in the initial state. It [ordered rule] might have come about if we had gained victory by the force of arms. The communal feuds you see here are, in my opinion, partly due to the presence of the British. If the British were not here, we would still go through the fire no doubt. But that fire would purify us.'

Patel had become increasingly uneasy by reports of the growing Anglo-Muslim bond and the intrigues they were indulging in. At this stage the colonial administration put forth a proposal: 'Would he convince the Congress to accept Dominion Status as an ad interim arrangement? This would make it possible to anticipate the date of British withdrawal from India. It would also take away from the Muslim League its bargaining power with the British'. Patel was taken in by the argument. On 1 May the viceroy's secretary reported that Patel was ready to accept an offer of dominion status for the time being, but officially the Congress stood committed to the sovereign independent republic resolution of the Constituent Assembly. This did not deter the British government; they realised that all this impasse required was a cleverly worded 'face-saving formula'. It was ultimately found by dropping the words 'King-Emperor' and 'Empire', to spare the conscience of the Congress high command.

The political situation of the country was becoming increasingly tense as the days went by. This, coupled with the growing communal frenzy, put a very heavy strain on Gandhi. But optimism was an integral part of his faith. Asked whether he thought that the growing gulf between the Hindus and the Muslims was permanent and unbridgeable, he replied, 'Nothing of the kind. For that would mean that neither religion had any truth in it'.

The acceptance of the partition of India by the CWC convinced Gandhi that he should be in Bihar and Noakhali rather than in Delhi. Independence would prove to be an illusion if people did not, in the meantime, learn to live in peace with one another. In the meanwhile, disturbing news of the deteriorating communal situation was trickling in from Calcutta. Some Pathans from Dera Ismail Khan narrated the lawlessness created by the Muslim League there. On 5 May Gandhi told Nehru that he would proceed to Calcutta post haste.

That day the viceroy had invited both Gandhi and Jinnah for successive interviews. Their visit to the Viceroy's House briefly overlapped. Taking

advantage of this, Mountbatten arranged a meeting between the two in his presence. As a sequel to this brief meeting, Gandhi met Jinnah again at the latter's residence the next evening. He wrote to the viceroy about the meeting in a letter dated 8 May: 'I had a very pleasant two hours and three-quarters with Quaid-i-Azam Jinnah on Tuesday last. We talked about the joint statement for peace. He was agreeably emphatic over his belief in non-violence. He has reiterated it in the press statement drafted by him. We did talk about Pakistan-cum-partition. I told him that my opposition to Pakistan persisted as before and suggested that in view of his declaration of faith in non-violence, he should try to convert his opponents by reasoning with them and not by show of force. He was, however, quite firm that the question of Pakistan was not open to discussion. Logically, for a believer in non-violence, nothing, not even the existence of God could be outside its scope'.

Patel was opposed to Gandhi going to meet Jinnah, fearing it would send a wrong signal, he felt that this was enhancing Jinnah's prestige. But if Jinnah was to be isolated how would a dialogue begin? Gandhi brushed aside his objections and said he would meet Jinnah to plead with him, not once but if necessary 'seventy times seven' times. Commenting on Jinnah's statement during his prayer address on 7 May, Gandhi remarked: 'On bended knee I ask those who want Pakistan to convince me that Pakistan is for the good of India. Let them put their case before the people and explain to them how it will benefit them. If they succeed in appealing to their reason, well and good, but let them understand that not an inch will be yielded to force.'

The CWC, he went on to say, had practically decided to concede Pakistan, but demanded that the Hindu majority areas of Bengal and the Punjab must be excluded from it in the event of India being divided. He was opposed to that too. The very idea of breaking up the country made him shudder. But in that he was alone. He had told Jinnah plainly that he could not be party to the vivisection of India and would never append his signature to any partition plan. If the Congress high command had resolutely stood by Gandhi and refused to parley on the basis of Pakistan with the British till peace was re-established in the country on the basis of the joint peace declaration and on the basis of the British government's declaration that nothing would be yielded to force, the issue of Pakistan would have been decided by appeal to reason alone. But the Congress high

command could not take that firm moral stand, with the result that the ground steadily slipped from under their feet. Mountbatten could not be expected to be more punctilious in that regard than the Congress itself!

Later that day, Gandhi boarded a train for Calcutta. He had a very disturbed journey, because the more he thought about the entire reasoning of the acceptance of partition as a prelude to independence, the more he was convinced that a wrong step was being taken, for which, in the end, all the parties involved would have to pay heavily. He decided to make another effort to avert, if possible, the threatening disaster. In the 8 May letter to Mountbatten which he posted from a wayside station, Gandhi went on to say: 'It strikes me that I should summarise what I said and wanted to say and left unfinished for want of time at our last Sunday's meeting.

1. Whatever may be said to the contrary, it would be a blunder of the first magnitude for the British to be party in any way whatsoever to the division of India. If it has to come, let it come after the British withdrawal, as a result of understanding between the parties or an armed conflict which according to Quaid-i-Azam Jinnah is taboo. Protection of minorities can be guaranteed by establishing a court of arbitration in the event of difference of opinion among contending parties.
2. Meanwhile the interim government should be composed either of Congressmen or those whose names the Congress chooses or of Muslim League men or those whom the League chooses. The dual control of today, lacking team work and team spirit, is harmful for the country. The parties exhaust themselves in the effort to retain their seats and to placate you. Want of team spirit demoralises the Government and imperils the integrity of the services so essential for good and efficient government.
3. Referendum at this stage in the Frontier (or any Province for that matter) is a dangerous thing in itself. You have to deal with the material that faces you. In any case nothing should or can be done over Dr. Khan Saheb's head as Premier. Note that this paragraph is relevant only if division is at all to be countenanced.
4. I feel sure that partition of the Punjab and Bengal is wrong in every case and a needless irritant for the League. This as well as all innovations can come after the British withdrawal, not before, except by mutual agreement. Whilst the British power is functioning in India,

it must be held principally responsible for the preservation of peace in the country. That machine seems to be cracking under the existing strain which is caused by the raising of various hopes that cannot or must not be fulfilled. These have no place during the remaining thirteen months. This period can be most profitably shortened if the minds of all are focused on the sole task of withdrawal. You and you alone can do it to the exclusion of all other activity so far as the British occupation is concerned.

5. Your task as undisputed master of naval warfare, great as it was, was nothing compared to what you are called to do now. The single mindedness and clarity that gave you success are much more required in this work.
6. If you are not to leave a legacy of chaos behind, you have to make your choice and leave the Government of the whole of India including the States to one party. The Constituent Assembly has to provide for the governance even of that part of India which is not represented by the Muslim League or some states.
7. Non-partition of the Punjab and Bengal does not mean that the minorities in these Provinces are to be neglected. In both the Provinces they are large and powerful enough to arrest and demand attention. If the popular Government cannot placate them, the Governors should during the interregnum actively interfere.
8. The intransmissibility of Paramountcy is a vicious doctrine, if it means that the Princes can become sovereign and a menace for independent India. All the power wherever exercised by the British in India must automatically descend to its successor. Thus the people of the States become as much part of Independent India as the people of British India. The present Princes are puppets created or tolerated for the upkeep and prestige of the British power. The unchecked powers exercised by them over their people is probably the worst blot on the British Crown. The Princes under the new regime can exercise only such powers as trustees can and as can be given to them by the Constituent Assembly. It follows that they cannot maintain private armies or arms factories. Such ability and statecraft as they possess must be at the disposal of the Republic and must be used for the good of their people as a whole. I have merely stated what should be done

with the States. It is not for me to show in this letter how this can be done.

9. Similarly difficult but not so baffling is the question of the Civil Service. Its members should be taught from now to accommodate themselves to the new regime. They may not be partisans taking sides. The slightest trace of communalism among them should be severely dealt with. The English element in it should know that they owe more loyalty to the new regime than to the old and therefore to Great Britain. The habit of regarding themselves as rulers and therefore superiors must give place to the spirit of true service to the people.'

Gandhi asked Mountbatten, as viceroy, to do the right thing. He was the representative of the British government, which had insisted upon retaining reserve powers. The army was in its exclusive control. Pending the final solution it, therefore, was honour bound resolutely to maintain the reign of law and order, irrespective of whether the Congress leaders insisted upon it or not. If this was beyond the British resources, then the viceroy should immediately advise HMG to unconditionally withdraw and transfer power over the whole of India, including the states, to whichever party they preferred. The interim government could be treated as a full fledged dominion government. This had been suggested even by British experts and newspapers. However, there was another alternative: the Constituent Assembly was in being and was a fully representative body and power could be transferred to it. This, as a last resort, would not have required the consent of the Indian parties. And if the British government was. to disregard the viceroy's advice, Gandhi suggested to Mountbatten that he should pack his bags and leave. He should not use a fast deteriorating situation to pass off partition as a lesser evil and make himself an accessory to the sacrifice of India's political unity, which the British government had often in the past claimed as their proudest achievement. If this line of action had been accepted instead of allowing chaos to build up under the protection of British arms, it was certain that in the case of Gandhi's opposition, the Congress leaders would never have accepted the evil of partition at British hands. It was possible that, with the third party divested of its ability to queer the pitch, the collective personality of India would have asserted itself. And one of the greatest human tragedies would have been averted.

Failing an agreement, those who believed in the political unity of their country would have fought to save it. They would have had something to live and die for. Many examples of nations passing through a period of chaos and then emerging stronger for it are available in history. As Gandhi said: 'If they get a chance to fight it out among themselves and show bravery, they would play fair [and ultimately come together] if only out of self-interest. It would give one who desires to work for unity a chance. At present he gets no opportunity and the pent up hatred goes on accumulating. The plain fact of the situation is that so long as the police and the military are there, no one else has a chance.' Even if a period of chaos had followed, it would not have been too great a price to pay for averting the division of India into two mutually hostile neighbouring countries, with conflicting interests, which would turn them, and the region, into a hotbed of international intrigue. India would have been spared the horrors of the senseless, undeclared civil war and dismemberment that preceded and followed Independence. Not to mention the biggest migration in recorded history which still arouses passions on both sides of the border after over six decades. Three declared and many undeclared wars over the past five decades have taken a great toll on both the nations and its people.

But Mountbatten was not one to swallow the proverbial bitter pill. It is possible that he was overtly loyal to his country and the crown but he was the one who could have shown sagacity and done what was right by India. Mountbatten's reaction to Gandhi's letter was conveyed to the latter by a colleague a few days later: 'I came up here [Simla] and dined at the Viceregal Lodge last night.... He said, "I am touched and moved by your *Bapu's* letter. Though he gives me more headache than anyone else, I admire his instinct. I would love to be able to do what he says, but I can't always see how to do it, and what is more, the Congress members of the Interim Government do not see eye to eye with him". He was, however, determined not to allow civil-war to raise its head. He agreed that Pakistan was a bad thing but felt that the Congress high command were "now quite anxious for it and for it to happen as soon as possible" in the hope that eventually the League itself would give it up. "You [Gandhiji]... were the only person who stood out against it and he [Mountbatten] agreed with you. I asked why a strong coalition Government in both the Punjab and Bengal with a preponderance for the time being of Hindu or Muslim officers in the minority areas of those Provinces could not be possible to allay fear, and in

the interregnum he was there to see that injustice was not done and there could be a permanent court of arbitration. He agreed but remarked that this would mean coalition Governments in the Hindu majority Provinces also. Jawaharlal had said it was impossible. I told him to consult Sardar. He felt the latter would be less liberal than Jawaharlal. He praised them both very much—wholly different types but straight and easy to work with. Jawaharlal more liberal ... often agreed with him but pleading with him his inability to carry the Congress Working Committee with him. He [Mountbatten] again said he was against the whole conception of Pakistan. He was not wholly satisfied with the reaction of His Majesty's Government and was struggling to get them to think along your lines. He repeatedly deplored "the legacy that had been left him and the short time he had to do things in".'

The train taking Gandhi to Calcutta stopped at Patna where he was greeted by ministers from the Bihar Cabinet. The scheduled stop there was for fifteen minutes but their meeting with Gandhi went on for longer. The station master asked Gandhi if he could signal departure. 'You do not go to any other passenger to take orders,' Gandhi answered, 'then why me? You should do your duty and not be afraid of ministers.'

Gandhi had decided to stay at the Khadi Pratisthan Ashram at Sodepore ten miles outside Calcutta. A strictly enforced curfew was imposed in the city. The day he arrived was the birth anniversary of Rabindranath Tagore. At his post-prayer meeting, Gandhi told the crowd that when he had appended his signature to the joint peace appeal, he had done so with the utmost sincerity, and was, in a sense, guaranteeing peace and unity. He had made himself a hostage for the preservation of peace by both the parties. The Hindus of Bihar and the Muslims of Noakhali must, therefore, remember that if they again went on a rampage, they would force him to launch on an unconditional fast unto death.

Meanwhile, Suhrawardy, the chief minister of Bengal, was a worried man. He had led the faction of the Muslim League who vociferously demanded Pakistan. Now he feared that, with the demand put forth by the Congress, the eastern wing of Pakistan would be a truncated version of what they had always assumed it to be. Assam and the industrialised parts of Bengal would, in the new equation, remain with India. In all probability, the port and city of Calcutta would also be lost to the eastern wing of Pakistan. What also worried Suhrawardy, was the realisation that the

eastern and western wings of Pakistan would be separated by a powerful group of intervening Indian Union provinces. He had, for long, cherished the idea of creating a greater Bengal, by amalgamating to it the rich iron and coal bearing belt of Bihar. To realise his ambition, he was prepared even to reinterpret the League's 'two nation' theory. 'The two nation theory,' he said in a press interview, 'has had as its background mainly political considerations. But there are other considerations such as common language, economic ties, interdependence, ethnological and historical ... which directly affect the people.... There has been no finality even among eminent professors of politics on the question of what constitutes a nation and different criteria would furnish different answers. Therefore, the two nation theory should be fully capable of being suitably moulded so as to be adaptable to local conditions as the situation demands.'

On 9 May, the press reported Jinnah's statement that he had no objection to allowing Bengal to participate in the existing Constituent Assembly 'or going out of his Pakistan plan, if the Western zone of Pakistan was conceded to him'. This shows how concerned Jinnah, who claimed to be the sole representative of the Indian Muslims, was about the Bengali Muslims.

The Bengali Muslims were different from the Muslims living in the western provinces of India. Both communities were proud of their common language, Bengali. The Bengali Hindu was as proud of the poetry of Nazrul Islam as the Bengali Muslim was of Rabindranath Tagore. These linguistic and cultural bonds had survived the recent shocks of the political divide. The political and ideological divide between the Muslims of Bengal and the Muslims of the western provinces was highlighted by two incidents. The first was when the Muslim League ministers accompanying Gandhi to Noakhali had told him that Bengali Muslims were quite content to have Bengal as a Muslim-controlled province in undivided India; their only quarrel was with the Muslims being assigned the status of underdog. The second was a press report filed by its Delhi correspondent, published on 29 April in the *Hindu* said: 'It is significant that while the Punjab Muslim Leaguers are thinking in terms of a separate Constituent Assembly, those from Bengal want to enter the existing one'. The European group in Bengal had a large stake in jute. They did not want the partition of the province as the loss of jute growing districts, which were in East Bengal, would hit the jute trade and industry very hard. There was a band of nationalist Hindus, too, who saw in the partition of Bengal, its ruination. The group was led by

Sarat Chandra Bose. One amongst the group was a veteran Congressman Akhil Chandra Dutt. Soon after the movement for the partition of Bengal had been launched by a section of the Hindus, he wrote to Gandhi: 'A movement has been set on foot for partition of Bengal and thus "secure a homeland for Hindus". This appears to be the result of a defeatist mentality. In fact this movement seems to me to be a communal one. Communalism must no doubt be fought, but not by a counter communal movement for a Homeland for the Hindus. This movement is practically a concession to the principle on which the demand for Pakistan is based. This will not be a solution to the communal problem but will aggravate and perpetuate it. It ignores the fundamental position that communalism is a passing phase and is bound at no distant date to be replaced by political division on economic grounds.... Partition will inevitably lead a section of well to do Hindus to migrate to West Bengal, leaving the poorer caste Hindus and scheduled caste Hindus to save their life, property and honour by conversion to Islam. Partition will be a wrong step politically, economically, socially, linguistically and culturally.... It was my lot in the prime of my life to fight against the partition of Bengal, proposed by Lord Curzon. By an irony of fate I have to fight in the evening of my life against partition sponsored by my own people. I ... request you to express your views and give a correct lead before further mischief is done'.

There was not a slightest chance that the Hindus would agree to a united Bengal joining Pakistan, or the Muslims consenting to its retention in the Indian Union. So they agreed on a plan of a 'sovereign united Bengal', independent of both India and Pakistan. Gandhi had opposed partition on moral as well as political grounds, both at the Centre and in the provinces. He was amazed, he remarked to a group of Bengali friends who had seen him in that connection a few days earlier in Patna, at the levity with which some people regarded partition, as if it were child's play. 'They do not seem to realise they are gambling with the lives of millions.' Again at Delhi he said, 'It surprises me that we do not see what price we shall have to pay for this third party intervention.... I have faith that, when the flood of insanity has subsided, the mud and silt will settle down to the bottom, leaving the waters crystal clear and pure, to bring the blessings of peace to the whole world. For with all its aberrations, our freedom struggle is essentially based on justice, righteousness, non-violence and truth.'

Sarat Chandra Bose, accompanied by Abdul Hashem, secretary of the Bengal Muslim League, met Gandhi the day he arrived at Sodepore Ashram. Hashem, to Gandhi's surprise, based his case for a united Bengal on the grounds of 'common language, common culture and common history that united the Hindus and Muslims of Bengal alike'. Gandhi was surprised by this about turn in one who had staunchly supported the demand for Pakistan just a few months ago. Wearily Gandhi asked Hashem whether he would have any objections to their joining Pakistan, if instead of incorporation, Pakistan invited them to enter into a 'voluntary federation for the propagation of Islamic culture and religion'. Hashem chose not to reply to his query. Gandhi tried a different approach. Since Bengal's common culture as embodied in Tagore, to which the League secretary had referred, had its roots in the philosophy of the Upanishads, which was the common heritage not only of Bengal but of the whole of India, would the sovereign Bengal contemplate entering into a 'voluntary association' with the rest of India? Hashem again chose to remain silent.

On 11 May, Suhrawardy accompanied by Mohammad Ali and Abdul Hashem met Gandhi to discuss the issue of a sovereign Bengal. Gandhi tried to impress upon Suhrawady the need for a complete and genuine change of heart. It must reflect in his own conduct and the conduct of his administration, if he expected his professions to be taken seriously by the Hindus. But Suhrawardy adamantly maintained that all was well in Bengal, peace reigned in Calcutta and no one could accuse the government of Bengal of being guilty of any injustice! He got angry when Gandhi told him that, as the head of administration, he was morally responsible for every death that had occurred in Bengal. Suhrawardy accused Gandhi of being the author of the whole trouble, and marched out of the meeting! Gandhi was upset with this and said, 'It matters nothing to him what he says. He wants people to trust him because, he says, the new Bengal which he wants to build will assure to all communities equal treatment. But the future is the child of the present. If what is happening in Calcutta today is a portend of things to come, it does not bode well for his plan.'

On the 12th, Suhrawardy met Gandhi again to enlist his support in the demand for a united sovereign Bengal. The latter told him that the only way in which they could prevent the partition of Bengal was by getting Jinnah to implement the joint peace appeal to which he was a signatory. 'Although I represent no community in particular, you see how I am wearing myself out

in a supreme effort to bring the Hindus of Bihar to a sense of repentance and wrong doing. But you are the accredited representatives of the Muslims. Should you not do what I am doing and more, in respect to the Indian Muslim? But you cannot claim to have done that. I am sure that if the Bengal Ministry acted with hundred per cent sincerity, Jinnah Saheb and the Muslim League would be compelled to follow suit.'

Suhrawardy complained that no Hindu trusted him; he could not even get a patient hearing, so how could he convince them of his sincerity? In reply Gandhi made him an astounding offer, which he confirmed later in writing: 'I recognise the seriousness of the position in Bengal in the matter of Partition. If you are absolutely sincere in your professions and would disabuse me of all the suspicion against you and if you would always retain Bengal for the Bengalis—Hindus and Musalmans—intact by non-violent means, I am quite willing to act as your honorary private secretary and live under your roof, till Hindus and Muslims begin to live as brothers that they are'. Suhrawardy was shocked by this offer. 'What a mad offer! I shall have to think ten times before I can fathom its implications,' Suhrawardy exclaimed as he came out of Gandhi's room.

In this move for a united sovereign Bengal, Gandhi saw a flicker of hope for his dream of an undivided India. If the Muslims of Bengal were to allow their regional identity to supersede their religious identity, the two-nation theory of the promoters of Pakistan could be easily debunked. Jinnah would lose his claim as the only representative of all the Muslims of India and thus, coupled with the discontent of the Pathans in the north-west, he could stop Jinnah and the Muslim League from browbeating the Congress and the British administration from conceding his every demand. But before he could plan any further, there was the question of the Bengali Hindus and their demand for the division of Bengal to contend with.

On 13 May Gandhi met Dr. Shyamaprasad Mukherji, head of the Bengal Hindu Mahasabha. Dr. Mukherji was a staunch opponent of the movement for a sovereign Bengal. He was one of the promoters of the divide-Bengal demand, and as early as 19 March, in a statement to the press, he had demanded the division of Bengal even in an undivided India; he condemned the 'sovereign Bengal' movement as one instigated by the Europeans for their vested interests. 'So your objection is on the ground of its parentage?' Gandhi asked him. Dr. Mukherji expressed his fear that if a sovereign Bengal state was allowed to be formed, there was no guarantee that

Suhrawardy would not manoeuvre it into joining Pakistan afterwards. To avoid such an eventuality Gandhi had suggested to both Suhrawardy and Sarat Chandra Bose that, in a sovereign Bengal, all major decisions regarding its future status would be taken by 'mutual consent'. So any decision would not be taken by a simple majority vote of the House, but by both the communities agreeing to it severally by a majority of votes. Gandhi had suggested to Suhrawardy that there should be two-thirds majority of each community. Further, since under his proposed formula the same procedure would apply to any subsequent change in the constitution of sovereign Bengal, he personally saw no ground for apprehension in the proposed plan. 'If Suhrawardy has to win over to his side the majority of the Hindu members of the Assembly, don't you see that the present communal situation in Bengal becomes immediately changed for the better?'

'Supposing the majority of the Hindus wanted to join Hindustan and the majority of Muslims were in favour of Pakistan, what then?' Mukherji asked.

'Then Bengal would be partitioned, but it would be a partition by agreement among the Hindu and Muslim inhabitants of Bengal,' Gandhi replied. 'It would not be a partition by a third party on the basis of Jinnah's two nation theory.' Gandhi's premise was that, since recognition of the fundamental unity of the people of Bengal, whether Hindus or Muslims, constituted the basis of Suhrawardy's proposal, and since the Bengal Muslims would be the majority in Pakistan, as envisaged by the Muslim League, repudiation of the two-nation theory in action by the Bengal Muslim League, with Jinnah's concurrence and consent, would leave nothing of the Pakistan plan based on that theory.

Here was an opportunity to avert the division of India by open diplomacy—the diplomacy of goodwill and truth. But Mukherji and his group were filled with vague fears about the future of 'Hindu' Bengal.

Before leaving Calcutta, Gandhi toured the riot-affected areas of the city. The acting chief minister Mohammad Ali, and the secretary of the Bengal Hindu Mahasabha, accompanied Gandhi. It was a hot afternoon when Gandhi returned from the fifty mile drive.

Later, Sarat Chandra Bose sent him a draft of the united Bengal proposal on 23 May at Patna. It said: 'At a conference on 20th May attended by Suhrawardy, Fazlur Rehman, Mohammad Ali, Abdul Hashem, Abdul Malek, Kiran Shankar Roy and Satya Ranjan Bakshi, [we] arrived at a

tentative agreement, a copy is enclosed herewith for your consideration. For the sake of identification it was signed by Abdul Hashem and myself in the presence of the others. It will, of course, have to be placed before the Congress and Muslim League. As far as the Congress and Muslim League organisations in Bengal are concerned, it seems to me from the trend of the discussions, the agreement will be ratified by them, possibly with some modifications here and there. I feel that if with your help, advice and guidance, the two organisations can arrive at a final agreement on the lines of the tentative agreement, we shall solve Bengal's problems and at the same time, Assam's. It may also have a very healthy reaction on the rest of India.'

Replying the following day, Gandhi pointed out the omission of some vital points which he had elaborated to Sarat Bose before leaving for Patna: 'There is nothing in the draft stipulating that nothing will be done by mere majority. Every act of the Government must carry with it the cooperation of at least two-thirds of the Hindu minority in the executive and the legislature. There should be an admission that Bengal has common culture and common mother tongue— Bengali. Make sure that the central Muslim League approves of the proposal notwithstanding reports to the contrary. If your presence is necessary in Delhi I shall telephone or telegraph. I propose to discuss the draft with the Working Committee'. Unfortunately, Sarat Bose was not able to convince Suhrawardy or the Muslim League to agree to Gandhi's stipulation. What appeared in the final draft instead was that any decision would require an overall two-thirds majority.

With the talk of a united sovereign Bengal gaining momentum, Assam felt insecure. In the event of a sovereign Bengal, Assam would be completely cut off from the Indian Union. The chief minister of Assam, Gopinath Bordoloi sent an SOS to New Delhi: 'If independent statehood is conferred to Bengal, Assam, cut off from the Centre and other consenting Provinces without any outlet to the sea, would be subjected to aggression both from the East and West. Assam must maintain contact with the Union, she must have an outlet to the sea'.

Important changes had been introduced in Mountbatten's first draft plan by this time. This took away from the provinces the right of option for independence, unless there was a request from both the Congress and the League for the same. Jinnah was prepared to entertain the idea of constituting a sovereign Bengal outside both India and Pakistan if this

would give him, in return, the whole of the Punjab, but not if the Punjab was to be partitioned anyway, as envisaged under Mountbatten's draft plan, and certainly not if this entailed conceding sovereignty to the frontier province. The ground began to slip from under the united sovereign Bengal movement and soon Sarat Chandra Bose found himself isolated. On 28 May, two days before Mountbatten's return from London, the Working Committee of the Bengal provincial Muslim League adopted a resolution to the effect that, neither the Working Committee nor the sub-committee appointed by it, had 'anything to do with the proposal that had been published in newspapers for the settlement of a constitution for Bengal' and that it 'stood firmly with the Muslim League's demand for Pakistan'. The same day, the general secretary of the AICC too, issued a statement repudiating the formula for the establishment of a united sovereign Bengal and expressing opposition to the creation of a free state of Bengal.

On 6 June Sarat Bose again met Gandhi in Delhi to discuss some further developments. But by then both the League and the Congress had officially accepted Mountbatten's 3 June partition plan: Nehru and Patel were vehemently against any proposal for a united sovereign Bengal, alleging that it was merely a ploy to divide the Hindu and schedule caste leaders. They also alleged that legislators and politicians were being bribed on both sides to purchase their support. Gandhi was disheartened at this and finally advised Sarat Chandra Bose to abandon the idea of a united sovereign Bengal. In this, another opportunity to isolate Jinnah and prove his two-nation theory wrong was lost.

Mountbatten had dispatched invitations from Simla on 10 May to five Congress, Muslim League and Sikh leaders to attend a conference in Delhi a week later. He would then present to them his plan for the transfer of power, as finally approved by the British government. Mountbatten had assumed that it would be smooth-sailing from now on, but his optimism was premature. The proposal of dismissing Dr. Khan Saheb's democratically elected government as a prelude to the holding of a re-election in the NWFP had somehow been leaked and the Congress had reacted sharply to this political chicanery. The Congress leadership was perturbed by the possibility of Great Britain concluding a separate political treaty or even entering into a military alliance with Pakistan following the division of India. At the last minute, London introduced some further modification in the draft plan which made it less acceptable to the

Congress. The Congress was now taking the stand that it had never admitted the right claimed by the League to partition India. Strictly adhering to the principle of non-coercion, it had conceded only the freedom to secede to such parts as might not want to remain within the Indian Union, as it had all along been opposed to keeping any unwilling part by compulsion. It therefore demanded that the Indian Union be recognised as being the successor of the British power, and such units as insisted upon separation should be regarded as seceders. But in the revised plan, this concept seemed to have been abandoned. There would be no heir nominated to replace the withdrawing British; the central authority would simply vanish; British India would be reduced to a conglomeration of autonomous units, 'successor governments' each possessing the right generally of determining its own future. The six hundred-odd Indian states would automatically become sovereign, each free to make peace or war, or enter into independent treaties with any other power. The British proposed to walk away, completely dissolving what was hitherto referred to as India.

On 10 May the viceroy showed the revised plan to Nehru to gauge his reaction. The latter was livid. 'It is a complete betrayal,' he said. 'It means the Balkanisation of India; we can never accept it.' The viceroy hurriedly summoned V.P. Menon, the reforms commissioner. 'The fat is in the fire,' Mountbatten exclaimed. Menon reassured him that he would rework the draft to make it acceptable. The next day Nehru's reaction to the redrafted plan was reported to be favourable, but he was not quite certain as to how the CWC would react. Patel was contacted in Delhi and was requested to shepherd it through the CWC; he agreed 'to see to that part of it'. The viceroy and his staff realised that, henceforth, during all delicate negotiations they must have Patel as a steadying influence alongside Nehru. Once they took care of these two, the Congress high command would be in their pockets. And with these two riding shotgun, they did not have to worry about the one Churchill called the 'half naked fakir'!

One of the modifications in the re-drafted plan was that the provinces no longer had the freedom to determine their future. Under the original draft, the NWFP could have declared independence from both India and Pakistan if it so chose. This was offset by a similar freedom of choice for Bengal. The re-draft sealed the fate of the NWFP; their yoke was irrevocably tied to Pakistan, and Bengal's fate could only be decided by a joint request from both the Congress and the Muslim League, even if both the Bengali Hindus

and Muslims desired unity and freedom. At one stroke everything that Jinnah had been demanding was granted to him.

Lord Ismay and Abell were in London at this time, securing the approval of the British Cabinet to the original draft plan. Mountbatten had, on a hunch, shown it to Nehru, and, based on his reaction had it redrafted. All this happened as HMG put its seal of approval on the original draft. The viceroy sent a cable to London, asking Ismay and Abell to stay back and get HMG to approve the redrafted plan. Southhall was annoyed; in a curt message from London, Mountbatten was ordered back post haste to explain the reason for the redrafted plan when the original had already been approved. The meeting with the Indian leaders scheduled for the 17th was postponed and rescheduled for 2 June with the concurrence of Whitehall. Nehru kept Gandhi informed about the happenings in Simla and Delhi. Since Mountbatten was going away to London and would only be back in Delhi on 28 May, carrying with him the final plan for India's freedom and vivisection, Patel and Nehru decided to avail of the opportunity for some rest and recreation in Mussoorie. Nehru invited Gandhi to join them. On 17 May Gandhi wrote to Patel: 'I have received your and Jawahar's letters. I do not feel the least enthusiasm to go to Mussoorie. You can stay in Mussoorie as long as you like. I have full use for every day that I can get here. If you will therefore allow, I shall reach Delhi on the 31st May or any time after that that you may want. It would please me if you took rest at Mussoorie. We shall of course talk in Delhi'.

Gandhi did not have the least doubt that the British would eventually leave, but of late he was worried that what his countrymen would be left holding would be an empty shell that once was a glorious nation. On the morning of 24 May, as Gandhi boarded the train for Delhi, he told Dr. Mahmud, 'The Congress has practically decided to accept partition. But I have been a fighter all my life. I am going to Delhi to fight a losing battle.' When the train stopped at Kanpur station, his watch was stolen from under his pillow by a souvenir hunter who had entered his compartment for his darshan. Gandhi was very attached to the watch as it had been a present from Indira, Nehru's daughter. She had given it to him twenty years ago when he had gone to Allahabad to see her grandfather Motilal Nehru.

Owing to engine trouble, the train was late in reaching Delhi. Patel and Nehru had not returned from Mussoorie as yet. Rajaji met Gandhi during the course of the day. Gandhi told him that there was no place for him in the

India taking shape before him. The country was taking to the way of violence. The spinning wheel was being replaced by big factories and rapid industrialisation; it was aiming to become a military power in the region. But amidst all this, it was his firm conviction that a day would come when they would all see for themselves that for India there was no way other than that of village industries and non-violence.

For some time now, a rumour had been gaining ground that on 3 June, when the viceroy announced the British government's plan for the transfer of power, riots would be engineered all over the country. News from Bengal said that several workers and leaders of the Bengal Muslim League had threatened to reduce Calcutta to ashes rather than allowing it to become a part of the Indian Union. Whole areas and streets were being fortified in preparation of the ransacking of Calcutta; the Muslims were readying their arsonists and arming their commandos; and the Hindus were not lacking in their preparations either. Neither side was willing to be taken by surprise. A telephone message from Bihar informed Gandhi that the situation there too was fast deteriorating. A Sindhi friend wrote to him from Sind that the Hindus in that province were living under a shadow of death and destruction.

When Gandhi returned to his room after the prayer meeting that evening, Devdas, Laxmi and Gopalkrishna, his youngest son and daughter-in-law and their youngest son affectionately called Gopu, came visiting as was their daily practice whenever Gandhi was in Delhi.

Jinnah, all this while, had been making unreasonable demands. In doing so, he would bring the entire process of the final negotiations for the transfer of power to a standstill. First was his demand for the inclusion of Assam in the Pakistan group. Assam had a majority Muslim population only in two districts; so Jinnah's demand went against the foundation on which two Pakistans were being created a thousand miles apart—that in those two areas there existed a Muslim majority. Jinnah's justification for Assam to join the Pakistan grouping, was that it was contiguous to the Pakistan areas, and that in two of its districts there was a Muslim presence. He made this most ridiculous demand four days after Mountbatten left for London. He said there was a necessity to have a land link between the two wings of Pakistan and demanded that a 1000 mile-long corridor be carved out of North India, linking East and West Pakistan. Patel characterised it as 'such fantastic nonsense so as not to be taken seriously'.

The hardening of the Congress's attitude against the partition plan as a result of Jinnah's extravagant and never-ending demands, which seemed to grow in their absurdity with every concession conceded, provided Gandhi with the glimmer of a hope of avoiding the partition of India. He made a final effort to induce the Congress high command to abandon Mountbatten's partition plan and revert to the Cabinet Mission Plan. 'Peace before Pakistan' was what should be the priority, he maintained. The viceroy must refuse to have any parleys with the Muslim League, before he had secured full implementation in the letter and spirit of the appeal to which Jinnah was a co-signatory. The viceroy was equally committed and he was a man of honour. If the Congress did not weaken, the Muslim League would have to come to the Congress and talk reason instead of presenting its mounting demands at gun point as it had got into the habit of doing.

The press was in over-drive; they printed one speculative story after the other about what Mountbatten would bring back with him from London. Gandhi did not like this attitude. Why should the Indians believe that their fate hung on what the British government might say or do? In his post prayer speech on 26 May he remarked that independence lay there, right in front of them. It was for them to take it, unless, in their folly, they chose to discard it. Why should they be concerned about what the British Cabinet or the British political parties wanted or desired? 'It is not for them to give us liberty but only to get off our backs. This they are under promise to do. But for retaining our freedom and giving it shape, we have to look to ourselves.... We are unable to think coherently, while the British power is there in India. Its function is not to change the map of India. All it has to do is to withdraw and leave India in an orderly manner, if possible. But withdraw in any case on or before the promised date it must even if it means chaos.

'There is an additional reason why no vital change in the shape of Hindustan with or without partition is possible in the existing stage of the country. There is the joint statement issued by Quaid-i-Azam and me. It enunciates a sound principle that there should be no violence employed in the pursuit of any political aim.

'We shall then have learnt the cruel lesson that everything was to be got if mad violence was perpetrated in sufficient measure. I would, therefore, urge every patriot and certainly the British power to face out the worst violence and leave India as it can be left under the Cabinet Mission

document of May 16th of last year. Today, in the presence of the British power, we are demoralised by the orgy of blood, arson and worse. After it is withdrawn, let me hope, we shall have the wisdom to think coherently and keep India one, or split it into two parts or more. But if we are bent even then on fighting, I am sure we will not be as demoralised as we are today, though admittedly all violence carries with it some amount of demoralisation. I shall hope against hope that India, free, will not give the world an additional object lesson in violence with which it is already sick almost unto death.'

The next evening Gandhi directly posed a challenge to Jinnah, the Congress leadership and the British government. Jinnah was a cosignatory to the famous statement issued jointly over their names. He should have been seen working with him from the same platform without allowing himself to rest till they had secured peace in the land of their birth or died in the attempt. And yet while arson and murder were rampant even around the capital itself, preparations for the division of India were being pushed on. The interim government had unfortunately chosen to follow the negative practice of the British government: its communiques repeatedly mentioned, in the vaguest of terms, how members of 'a certain community' had done the killing, without clearly indicating who had killed whom. Why could not they be bold enough to mention the butcher by his name? Why did not the British power name the guilty party and put it outside the pale? He maintained that, after the joint appeal, Jinnah had left no way open to himself for the attainment of Pakistan expect that of conversation through appeal to cold reason. He had said before that if he had his way, there would be no talk about Pakistan before there was peace, and certainly not through British intervention. Jinnah should first establish peace—in that effort he could always command his cooperation—then convene a meeting of Indian leaders of all classes and communities and go on pleading with them the cause of Pakistan till he had carried conviction to them. 'The day we meet together as brothers will be a red letter day in India's annals. For whatever decision we shall then take will be our decision as amongst members of one family.'

If the Pakistan of his conception was a reasonable proposition, Gandhi continued, Jinnah should have no difficulty in convincing India. Though the events in the NWFP, in the Punjab and in Bengal left little room for hope, he was even now prepared to make a sporting offer. Jinnah had claimed that

Pakistan would be a state where each would enjoy the fullest security; where there would be no distinction of high and low and where there would be justice for all. If that was really so, he [Gandhi] would himself accompany him and tour with him all over the country and tell the people that they could all live happily in such a Pakistan: 'Let him [Jinnah] not appeal to the British power or its representative Viscount Mountbatten. The latter's function is only to quit by the end of June next year—peace or no peace. Imposed peace would be the peace of the grave of which all India and the British should be ashamed. Let it not be said that Gandhi was too late on the scene. He was not. It is never too late to mend, never too late to replace the force of the sword with that of reason. Dare the British impose Pakistan on an India temporarily gone mad.'

Jinnah turned a deaf ear to the appeal; he knew he had the Congress leaders by their tails and the British were partial towards him in any case, so why should he be bothered by the utterances of one who was himself isolated. Mountbatten complained that he had arrived too late on the scene, when no solution, other than on the basis of partition, could be made acceptable to both the parties, and the Congress was not prepared to take the difficult route. Since coming to power, the Congress had been relying heavily upon the British-created machinery for the preservation of law and order. It needed the good offices of the British administration to help them tackle the problem of the princely states. They were wholly dependent upon what Mountbatten would bring back from London. Gandhi was someone they had to tolerate and use when the need arose, but his utterances were not to be taken seriously; to these newly baptised career politicians, Gandhi's ideas and philosophy were no longer practical or realistic. In public they showed sympathy for him, in private they scoffed at him.

On 29 May, during the morning walk, a co-worker said to Gandhi: 'You have declared you won't mind if the whole of India is turned into Pakistan by appeal to reason, but not an inch would be yielded to force. You have stood firm by your declaration. But is the Working Committee acting on that principle? They are yielding to force. You gave us the battle cry of "Quit India"; you fought our battles; but in the hour of decision, I find, you are not in the picture. You and your ideas have been given the go by.'

Gandhi replied, 'Who listens to me today?' to which the co-worker replied, 'The leaders may not but the people are behind you.' Gandhi then added, 'Even they are not. I am being told to retire to the Himalayas.

Everybody is eager to garland my photos and statues. Nobody really wants to follow me.'

The co-worker said, 'They may not today but they will have to before long,' to which Gandhi replied, 'What is the good? Who knows, whether I shall then be alive? The question is: what can we do today? On the eve of independence we are as divided as we were united when we were engaged in freedom's battle. The prospect of power has demoralised us.'

With the return of Mountbatten to the national capital, the tempo of events quickened. On 31 May Rajendra Babu had a brief talk with Gandhi during his morning walk. The CWC was to meet that afternoon. The Congress leaders felt that, with the acceptance of the idea of partition by all parties, peace would return to the land. Gandhi had grave doubts about this line of thinking; he was emphatic that the establishment of peace must precede any talk of partition; partition before peace would be fatal. As events were developing, the minorities would not be able to live in Pakistan after partition. There would be a mass exodus of minorities from both sides of the dividing line resulting in chaos and inevitable bloodshed. It would be next to impossible to keep the incoming refugees under control. Badshah Khan was waiting for them to end their walk. With disappointment in his voice he said, 'So, Mahatmaji, you will now regard us as Pakistanis? A terrible situation faces the Frontier Provinces and Baluchistan. We do not know what to do.'

Gandhi replied, 'Non-violence knows no despair. It is the hour of test for you and the Khudai Khidmatgars. You can declare that Pakistan is unacceptable to you and brave the worst. What fear can there be for those who are pledged to "do or die"? It is my intention to go to the Frontier as soon as circumstances permit. I shall not take out a passport because I do not believe in division. And if as a result somebody kills me I shall be glad to be killed. If Pakistan comes into being my place will be in Pakistan.'

That evening during the prayer meeting, as the verses from the Koran were recited, a young man dressed in western clothes got up and began to shout, 'Imprison Jinnah, stop reciting from the Koran, declare war upon the Muslim League.' Even while a Zoroastrian prayer was being recited, he continued to raise anti-Muslim and anti-Jinnah slogans. Gandhi interrupted the prayers and requested the volunteers not to be rough on the young man. At this time, All India Radio used to tape Gandhi's prayer meetings. I have a recording of that particular prayer meeting and have heard it many times

over. The man's voice has a frightening intensity, but is matched by Gandhi's calm and reasoned response. It is clear that these hecklers were very well aware how to garner public sympathy for their cause. Earlier, they raised objections to recitations from the Koran, but this did not go down well. So the Hindu extremists, the RSS and the Hindu Mahasabha changed their strategy. They now demanded Jinnah's arrest and revenge on the Muslim League. At that time there were very few people, if any, in India, who would oppose these demands.

Gandhi was extremely disappointed by the turn of events and the stress and anxiety began to take its toll on him. That afternoon the Working Committee again met to discuss strategies to be used while negotiating independence. They were all unanimous on one point— partition was inevitable. It was on 2 June 1947 that Mountbatten was to meet the Indian parties and unveil the plan for the transfer of power he had brought back from London. He was going to offer three options to the Indians: a final attempt to make them accept the Cabinet Mission Plan, which he personally felt would not be accepted; HMG's partition plan; and finally a plan for the transfer of power on the basis of the existing constitution. Under this, provincial subjects would be transferred to existing provincial governments and the central subjects to the existing Central government. This was to be a unilateral action with nobody having the power to either question or challenge where they were transferred.

The Indian leaders assembled at the Viceroy's House at 10 am. The Congress was represented by Patel, Nehru and Kripalani; the Muslim League by Jinnah, Liaquat Ali and Rab Nishtar. Jinnah had objected to the presence of Kripalani—a ploy to irritate the Congress leaders. When his objection was overruled, since Kripalani, as Congress president, had every right to attend the meeting, Jinnah nominated Rab Nishtar to counter Kripalani. The Sikhs were represented by Sardar Baldev Singh. Mountbatten opened the meeting with the formal offer of the Cabinet Mission Plan for acceptance, Jinnah refused to accept it and the offer was withdrawn. Next, Mountbatten unveiled HMG's partition plan which he had brought back from London. It offered:

(1) A separate Constituent Assembly for the Muslim majority provinces that were unwilling to join the existing Constituent Assembly, coupled with the partition of the Punjab and Bengal by the decision of their

respective Legislatures voting separately for Hindu and Muslim majority districts.

(2) In the event of Bengal being partitioned, there would be a referendum in Sylhet to decide as to which province it would be part of—East Bengal or Assam.

(3) Referendum to be held in the North-west Frontier Province without disturbing the ministry in power, to decide which of the two Constituent Assemblies it would join.

(4) The Sind Legislative Assembly to decide by a simple majority vote as to which part of India it would belong to.

(5) As there was no Legislative Assembly in Baluchistan, the procedure as to how it would decide its future would be left to the viceroy in consultation with the Indian parties.

(6) The final shape of the partition would be decided by a Boundary Commission appointed for the purpose.

(7) No change in the interim government until separation was affected when two governments would be set up with complete powers in all subjects.

(8) To meet the desire of the major Indian political parties for the earliest possible transfer of power, power would be transferred to an Indian government or governments on dominion status basis at even an earlier date.

(9) The attainment of dominion status would be without prejudice to the right of the Indian Constituent Assemblies to decide in due course whether or not the part of India in respect of which they had authority, would remain in the British Commonwealth.

(10) The position of the princely states to remain the same as under the Cabinet Mission Plan.

The viceroy had mentioned that the date for independence would be advanced. In fact he had dramatically foreshortened the date of departure, bringing it forward to August 1947.

The Congress leaders declared acceptance of this plan on the condition that the offer was accepted without alteration by Jinnah and the Muslim League. The Congress and Sikh leaders agreed to convey their final decision in writing that evening. Jinnah, however, said that only the full council of the League could decide on the partition offer, and it would take some days for the Muslim League's Council to be summoned. The only

commitment he was willing to make—and that only on his personal part—was that he had 'no desire to wreck the plan'.

At 12.30 pm Gandhi came for his meeting with the viceroy. This was merely a courteous formality on part of the viceroy; no matter what Gandhi said or suggested, his comments did not mean anything any longer. Even Gandhi knew this, and he was resigned to the fact. The 2nd of June was a Monday—Gandhi's day of weekly silence. He conveyed all he had to by writing on slips of papers which were then passed to the viceroy. A section of the British administration and the viceroy's staff had conjured up a phantom threat to the partition plan. They were convinced that Gandhi would dissociate with the Congress and lead a mass movement against the acceptance of the partition plan; this had caused a lot of consternation in the viceroy's staff as well as in Whitehall. This meeting was basically to gauge Gandhi's reaction and ascertain whether their fears had any merit. Such was Gandhi's influence, that even having successfully isolated him from the Congress leaders, the British colonial administration and the British government were still fearful. But Gandhi had gauged the mood of his political colleagues and the people of India and knew that at that fateful juncture he stood alone. Allaying the viceroy's fears he wrote: 'I am sorry, I can't speak. When I took the decision about the Monday silence, I did reserve two exceptions, i.e., about speaking to high functionaries on urgent matters or attend upon sick people. But I know you do not want me to break my silence'.

Responding to the viceroy's guarded inquiry about his fear that Gandhi would foment trouble for the partition plan, Gandhi wrote: 'Have I said one word against you during my speeches? If you admit that I have not, your warning is superfluous. 'There are one or two things I must talk about, but not today. If we meet each other again, I shall speak'.

The CWC's final decision was communicated that night by a letter addressed by the Congress president to the viceroy. He wrote: 'We accepted in its entirety the Cabinet Mission's statement of May 16, 1946, as well as the subsequent interpretation thereof dated December 6,1946. We are still prepared to adhere to that plan. However, we are willing to accept as a variation of that plan the proposals now being made. While we are willing to accept the proposals made by His Majesty's Government, my Committee desire to emphasise that they are doing so in order to achieve a final settlement. This is dependent on the acceptance of the proposal by the

Muslim League and a clear understanding that no further claim will be put forward'.

In view, however, of what had happened at the time of the Cabinet Mission Plan, when Lord Wavell had brought the Muslim League into the interim government without obtaining a proper guarantee in writing, the Working Committee's letter added: 'There has been enough misunderstanding in the past and in order to avoid this in the future, it is necessary to have explicit statements in writing in regard to these proposals'.

On the question of joining the Commonwealth and the right of either unit to forge individual alliances with the British government, instead of taking a firm stand on the issue the Congress president's letter reflected how the will to fight had left its leadership: 'It seems extremely undesirable and likely to lead to friction if the relations of the British with the Indian Union and the seceding parts of it are on a differential basis. We should, therefore, like to make it clear, that we cannot be consenting parties to any such developments'. In conclusion the Congress president's letter mentioned: 'We believe as fully as ever in a United India. We earnestly trust that when present passions have subsided, our problems will be viewed in their proper perspective and a willing union of all parts of India will result therefrom'.

Jinnah's adamant refusal to give the League's reply in writing precipitated a showdown between the viceroy and him at a midnight meeting, to which Lord Ismay was the only witness. This meeting showed how confident Jinnah was of achieving all his objectives with the tacit support of the British colonial administration, that he could remain unflappable in the face of dire threats issued by Mountbatten. On his refusal to give a written reply to the partition plan the viceroy warned him that if he continued with his intransigence, power may be transferred on the basis of the constitution in force. Jinnah called the viceroy's bluff with a nonchalant 'What must be, must be.' At last Mountbatten unsheathed his final 'secret weapon'. It was a message from Winston Churchill, to be delivered as a last resort. The message was blunt: if Jinnah was to reject the plan or try to place hurdles in its acceptance, it would sound the death knell of his dream of a Pakistan. Jinnah displayed no emotion. The only reaction was that, when asked for his acceptance of the partition plan during the leaders' conference the next morning, he nodded, which was taken to be an acceptance. The Muslim League Council then met at New Delhi on 9 June

under the presidentship of Jinnah and, while deploring the partition of the Punjab and Bengal, adopted a resolution accepting the British government's plan 'as a compromise' in the interest of 'peace and tranquillity'.

During his walk on the morning of 3 June, Gandhi asked Rajendra Babu if he might now return to Bihar. But the latter did not feel he should as his presence was essential in the capital 'if only for Badshah Khan', thus cryptically suggesting that the whole process might still degenerate into chaos on the question of the fate of the NWFP 'Of late I have noticed,' Gandhi remarked, 'that I get very easily irritated. That means I cannot now live for long. But my faith in God is daily becoming deeper and deeper. He alone is my true friend and companion. He never deserts even the least of his creatures.'

'In all probability,' he said later, 'the final seal will be set on the partition plan during the day. But though I may be alone in holding this view, I repeat that the division of India can only do harm to the country's future. The slavery of 150 years is going to end, but from the look of things it does not seem as if the independence will last as long. It hurts me to think that I can see nothing but evil in the partition plan. May be that just as God blinded my vision, so that I mistook the non-violence of the weak—which I now see is a misnomer and contradiction in terms—for true non-violence, he has again stricken me with blindness. If it should prove to be so, nobody would be happier than I.'

After his evening walk, as he sat soaking his feet in a hot water bath, Rajkumari Amrit Kaur came and gave him the news that all three parties, the Congress, the League and the Sikhs had signed the plan. The League would not accept anything else; the Congress therefore had no other choice but to accept partition. Gandhi listened to the news without comment; finally he heaved a sigh of relief. 'May God protect them, and grant them wisdom,' he whispered. That night, the decision was broadcast on AIR; 'India will be partitioned'. The announcement was followed by addresses of Nehru, Jinnah and Baldev Singh. And so ended the suspense about India's future and independence. It also crashed Gandhi's dream of keeping his beloved nation united against all odds. India would be free, but it would be torn in the process.

At this juncture there was nobody with Gandhi, neither politicians nor the people, willing to launch a movement to keep India united, to fight against the League's violence and the Congress' meek surrender. Many

people claimed that they felt betrayed by Gandhi as he had accepted partition quietly and did nothing to avert it. But no one launched independent agitations against the acceptance of the partition plan either. The Hindu Right-wing and the self-proclaimed patriots of the RSS and Hindu Mahasabha did not even once demonstrate against this division which they now, sixty years later, call a grave betrayal. The only thing they did was to issue a firman to all their supporters not to celebrate India's independence. The only leader who unfurled the Tricolour on the terrace of his home in Shivaji Park, in central Mumbai, on Independence day, was V.D. Savarkar. For his patriotic act he had to face the censure and boycott of his Hindu Mahasabha colleagues.

Even before the ink had dried on the final partition plan, the signatories were busy with political intrigues. The NWFP was now the focus of all activities. The adamant refusal of the Pathans to join Pakistan was a great worry for Jinnah. Under the partition plan the NWFP could vote to remain with India. If this happened, there was a possibility that Sind, or at least the Hindu-dominated parts of Sind, would also choose not to join Pakistan, leaving Jinnah landlocked, with a part of Punjab and in all probability, Baluchistan, surrounded by Indian provinces. He realised that if this happened his fledgling state would not survive. So the Muslim League directed all its energies in destabilising the Congress government of Dr. Khan Saheb. They unleashed a reign of terror on the province. They also insisted that the proposed referendum to decide the future of the province be held only after the Congress government there was dismissed. Strangely, the Congress leadership in New Delhi was lackadaisical towards the pleas of the Khan brothers. Instead of lobbying with the British colonial administration and the viceroy to come down heavily on the Muslim League, Patel and Nehru did nothing; they seemed unconcerned about the fate of the NWFP. Patel argued with Gandhi that the Khan brothers were' no longer powerful in their province. Gandhi was not expected to play games of political intrigue and one-upmanship, but Patel and Nehru should have recognised this opportunity to keep India united. If they had strongly supported the Pathans in their fight to remain with India, they would perhaps have been able to start a chain reaction which could have been replicated in Sind. As a result, what then remained with Jinnah would have resembled more a principality than a country.

When the Muslim League unleashed a tidal wave of violence in the NWFP, the duality and the tacit support of the colonial administration to the objectives of the League cornered the Dr. Khan Saheb government. From the time trouble started brewing, the governor, Sir Olaf Caroe, had seemed determined to hand the province over to the League. Instead of trying to work in tandem with the democratically-elected government to control the situation and crack down on the trouble-makers, the governor tried to get the ministry dismissed. At a meeting with his ministers he harangued them for being with the Congress. According to him, they—Muslims—had nothing in common with the Congress; they should be with their coreligionists—the Muslim League, he said. He threatened them with dismissal unless they agreed to form a coalition with the Muslim League. The proud Pathans were not going to be crushed so easily. They dared the governor to do his worst.

When the new viceroy took over, Caroe tried to influence him to dismiss the provincial government. He cited the law and order situation in the province and the inability of the provincial government to normalise the situation as reason enough for dismissal. In April, when the viceroy visited the NWFP, Caroe made a strong pitch for new elections. This was strange since an election—which the Congress had won—had been held just a year back. The election had been fought on the issue of Pakistan; the League had campaigned hard on the basis of their demand for an independent Muslim homeland, and yet of the thirty-eight Muslim seats the Congress won twenty-one, it won all the nine Hindu seats and two out of three Sikh seats. The result reflected that the Congress had secured acceptance among all three communities, whereas the Muslim League had managed to win only a marginal number of seats overall and that exclusively amongst the Muslims.

On his arrival at Peshawar, the viceroy held a meeting with the governor, Dr. Khan Saheb, and his Cabinet of four ministers. During this meeting harsh words were exchanged between Dr. Khan Saheb and Sir Olaf Caroe. Privately Mountbatten told Dr. Khan Saheb that, in his opinion, a fresh election in the province was necessary. Jinnah had promised him that, in the event of a fresh election being held, he would call off the League-sponsored 'Direct Action', and there would be no violence. The viceroy assured Khan Saheb that he had made no definite commitment to the League. He added that he had told Jinnah firmly that nothing would be yielded to violence. The same day, as per the promise he had made to Jinnah in Delhi,

Mountbatten ordered the release of all the Muslim League leaders arrested for their role in instigating violence during the 'Direct Action' agitation.

The next day, on his return journey, the viceroy and his wife got to see the results of the League's 'Direct Action' at Rawalpindi in the Punjab. The devastation in the Hindu and Sikh quarters of the city, in the words of the press attache, was 'as thorough as any produced by fire-bomb raids during the war'. The Muslims of the area seemed to be 'quite pleased with themselves'. While Mountbatten, HMG and the colonial administration kept reiterating that nothing would be yielded to force, the Muslim League increased the intensity of its violence and instead of it jeopardising their political demands, it led to one extraordinary concession after the other. The 'Direct Action' campaign in the Frontier was never called off and on 7 May, Jinnah issued a statement that he approved of the decision of the Frontier Muslim League to carry on with the movement.

Why was Caroe so adamant about dismissing the Congress government and holding fresh elections in the province? He argued that the 'violent demonstrations throughout the province' indicated a lack of confidence in the ministry. Badshah Khan gave a spirited rejoinder. During the six years of the Second World War there was no trouble in the Frontier Province. The British needed peace then and there was peace. And now, while the British power in the NWFP looked on, hundreds of people were being killed and thousands rendered homeless. Instead of taking the firm measures that their ministers had asked for, lawlessness was being used as an excuse for their removal, though they had been returned to power by an overwhelming majority and still commanded a majority in the legislature! In a statement issued on 4 May 1947 from Delhi, Acharya Jugal Kishor, the general secretary of the Congress, and Dewan Chamanlal, whom Nehru had sent to the Frontier Province, reported: 'We have recently returned from a tour of the Frontier Province and what we have seen has shocked us beyond measure. There is no doubt that the adherents of the Muslim League have utilised these atrocious methods with the primary object of making it impossible for the Ministry to function, nor have we any doubt that what we may call the Governor's party has given direct or indirect encouragement to the law breakers. It is an open secret that the present Governor does not favour the Ministry. A man in his position, who is also the head of the Political Department, can seriously hamper the work of the Ministry since

large numbers of administrative officers play a dual role, being civilian administrators as well as political agents.

'The happenings at Dera Ismail Khan were an eye opener to us. The League agitation had practically fizzled out until it became difficult to find more than four persons to offer themselves for arrest. It was obvious that the back of the agitation had been broken and all was peaceful. In this situation, secret meetings were held, people imported from the Punjab and other areas. Definite information was conveyed to the authorities of the impending disaster. Repeated orders were issued by the head of civilian administration for the arrest of ringleaders and repeatedly these orders were disobeyed by police officials. Indeed, even the orders of the Inspector-General of Police under the instructions of the Ministry were flouted. The flouting of these orders resulted in the agitators resorting to violence with impunity. The police had ample force at their disposal. Not a single platoon was brought into action, not a tear gas shell exploded, not a lathicharge made, not a shot was fired even in the air, with the inevitable result that whole bazaars were gutted and looted. A Governor should be appointed in the place of Sir Olaf Caroe, who is prepared to guarantee protection to the minorities and who is in full sympathy and harmony with the present ministry. It is not the Ministry that should be dismissed, but the Governor and the officials who look to him for support, and who have failed in preserving law and order'.

The Congress high command took a hard stance against the dismissal of the Dr. Khan Saheb ministry holding and of the fresh elections in the province. They threatened to boycott the colonial administration and walk out of any further negotiations with the viceroy and the British government. Mountbatten immediately made it clear to the League that he could neither agree to the dismissal of the ministry nor to fresh elections, in the face of Congress defiance. The proposal was therefore being dropped. Frustrated, the League intensified its programme of murder and arson.

Badshah Khan scented in these developments 'a big plot' engineered by the Leaguers and their 'departing masters the British'. He warned: 'We have set fire to our country, a fire from which we ourselves cannot escape. These things can neither help Islam nor the Muslim League nor Pakistan. It is dishonest to give a political status to the communal movement of the Muslim League, whose followers have been indulging in crime.' He appealed to the Muslim League 'to sit down with the Khudai Khidmatgars

in a joint *jirga* [tribal council],' to tackle various important issues which might crop after the British departed from India. 'We can iron out our differences today if they meet us as brothers and renounce their violent methods. I shall agree to any honourable settlement among ourselves, if an earnest effort is made. Leaguers fear Hindu domination while we fear British domination. Let us meet together and convince each other. We are prepared to allay their fears. But will they in turn allay ours?' The appeal fell on deaf ears. The League had no desire to sit down with the Congress or the Khudai Khidmatgars, and come to an honourable compromise when it could get more through the British, who, on the one hand, continued to woo them, while continuing to frown over their wanton acts of butchery, on the other.

After the Cabinet Mission Plan fell through and partition was accepted by the Congress and the League, the new plan included a clause which acceded the League's demand of a referendum in the Frontier province to decide which dominion it would accede to in the altered situation, to India or to the new dominion of Pakistan, in case West Punjab opted for Pakistan. The Khan brothers, along with other Frontier leaders, felt this was rather premature. They believed that the issue could not properly be decided before the two parts of India had framed their respective constitutions and their decision on the very vital question of their future relationship with the British was known. Their past experience of British-West Asia imperialist diplomacy had taught them to be extremely wary of the British. In a statement issued soon after the publication of the partition plan of 3 June 1947, Badshah Khan observed: 'It may be a triumph for the Muslim League it is none for Islam. There are to be two Indias with Dominion status for each pending the decision of the respective Constituent Assemblies. Pathans do not want Dominion status for one day. They would prefer to frame their own constitution and ally themselves to that portion of India which makes for complete independence. Pathans would be friends with the whole world and foes with none.

'The question of referendum in my opinion does not arise. But I would welcome it any day if it was to be conducted without intimidation and outside influence. All India knows what travail the Frontier Province has recently passed through and yet may have to. My advice would, therefore, be that the Frontier Province should be left alone till the political weather has cleared. It may be asked to pronounce opinion as to the choice when the

two parts have decided on the issue of final independence or membership of the British Commonwealth'.

The Frontier leaders also felt that the issue on which the verdict of the people was being sought was wrong. It would confuse the Pathan mind and was sure to be exploited by the Muslim League to raise communal passions and set up divisions among the Pathans with its inevitable result—civil war and everlasting blood feuds. They felt that if the referendum were to be held on the issue of Pathan autonomy, it would find all Pathans united, asking for 'freedom'. They demanded that the people of the Frontier should be free to choose between Pakistan and Pathanistan, an autonomous self-contained unit of Pushtu-speaking people under one constitution framed by them. Pathanistan would then decide which part it would accede to, when the full picture of the respective constitutions of India and Pakistan was before it.

Gandhi supported the proposal of the Khan brothers. He agreed that, if the proposed referendum was to be 'Pakistan versus Hindustan', in the context of events taking place, fanatics would misrepresent it. The Pathans would be asked, 'will you be with the Hindus or with your Muslim brethren?' The Congress was not a Hindu organisation, but in the circumstances, the Pathans would be confused. 'Let both parties honour the Pathan sentiment, and let the Pathans have their own constitution for internal affairs and administration. It would promote Pathan solidarity and avoid internal conflict, so that they would be better able to federate with Pakistan or with the Union of India. This should be irrespective of whether there was or was not a referendum. Any premature referendum would be a leap in the dark.'

The Pathans were a proud highlander race, and as is the case all over the world, averse to the domination of men from the plains. In the Pakistan that was taking shape, it was evident that the Punjabi Muslim landlords and traders were crafting out a dominant role for themselves. The Pathans feared that, after losing half of Punjab, the Punjabi Nawabs would grab the lands of the NWFP to establish new fiefdoms. This domination of the Punjabi Muslims in Pakistan was resented not only by the Pathans but also by the Bengalis of East Pakistan and the citizens of Sind. In 1971 it was this hegemony of the Punjabi Muslim that forced the Bengalis to wage a war of independence and break away from Pakistan. Kashmir was also in a similar position; the Kashmiri Muslim could not visualise being subservient to the Punjabi Muslim in Pakistan; that distrust remains even today.

Reams of correspondence ensued between the Khan brothers and Gandhi and various Congress leaders. Gandhi counselled the Congress leaders as well as conferred with the viceroy and Jinnah. His suggestion that, if the demand for an autonomous Pathan homeland was not granted, the Pathans should resort to satyagraha, found no takers. The Khan brothers feared that a confrontation with the Punjabi Muslim-dominated Muslim League, would lead to innumerable blood feuds and the Pukhtoon tribes would be embroiled in civil war. After months of negotiations and attempts to make Jinnah see reason, the Pukhtoon politicians decided to stay away from the referendum. The Muslim League had again managed to get what it wanted with considerable help from the colonial administration and the mechanisations of the British Political Department. Finally, a referendum based on communal lines was carried out and the result desired by the Muslim League and its British patrons was arrived at— the NWFP would be a part of Pakistan. After making innumerable visits to British prisons during the independence movement, Badshah Khan spent most of his remaining life under house arrest in Pakistan.

Pyarelal has summed up the situation in *Mahatma Gandhi: The Last Phase*, Vol. 10, Part II: 'The development in the Frontier Province had left Gandhiji extremely unhappy. The way partition was being effected, like the way the decision about partition itself had come, did not spell peace. "Lord Mountbatten means well, but I am afraid, the way he is going he may end by unwittingly doing incalculable harm", he observed in one of his post prayer addresses. In the desperation to obtain immediate relief, there was an unwillingness to grapple with realities and recourse was being had to make-believe and false compromises. Gandhiji's prediction concerning the departing British power was coming true. It was showing deep fissures. In the past that power had not hesitated to take strong measures when its own interests were at stake; but now it was not prepared to face up to the full logic of its solemn declaration and put down violence by a firm hand.

'Gandhiji saw no good coming out of this. By accepting partition at British hands, the Congress had averted an open civil war but only at the cost of a smouldering undeclared war. Gandhiji would have preferred the naked reality. An open fight, however ugly, ends in the natural course in a spell of peace and confers immunity of sort, at least for a time. But an undeclared war, which only the armed might of a third party prevents from breaking out into an open fight, only intensifies the dangerous passions.

And as mental violence tends always to run to an excess that physical violence seldom does, such violence, when it ultimately breaks loose, does so with the cataclysmic fury of a lightning stroke, which leaves nothing but the trail of death and destruction behind.

'That was why Gandhiji had been so opposed to partition under the British aegis. He saw in the consequences of partition, as they were unfolding themselves, a confirmation of his worst fears. The Congress High Command had agreed to the vivisection of India to obtain a respite for themselves and the country from the League's subversive activities. In Pandit Nehru's grim phrase, they had cut off their head to get rid of their headache. They got relief no more than an amputee, who is left with his "phantom limb" aching worse than ever after the affected member had been removed'.

The Congress leaders had hoped that, immediately after the acceptance of the partition plan, the Muslim League members in the interim government would be removed, enabling them to administer the newly emerging independent nation without their harassment. They started clamouring for this but Mountbatten dithered over forcing the issue. Jinnah immediately sensed the danger; if the League members were removed from the interim government now, they would have no powers till Pakistan came into being and the Congress would have exclusive rule of the land. He immediately threatened to walk out of the partition plan and take recourse to 'Direct Action'. Mountbatten demurred as he did not wish to jeopardise the transfer of power. The issue of Mountbatten being appointed governor general of India and Pakistan was still pending confirmation. The Congress was in agreement, but Jinnah was yet to confirm. This was his trump card. The viceroy's advisors felt that he must not, in the circumstances, take any action that would jeopardise his 'objective and almost judicial status'. As a compromise, Mountbatten recommended that all contentious issues in the interim government should, so far as possible, be put on the backburner while contentious issues arising in the course of day-to-day administration should be referred to him for decision instead of being settled by a majority vote in the Cabinet. This provided him with temporary relief but the tension continued.

Conditions across the country were deteriorating rapidly. There were daily reports of violence, murder and arson pouring in from Punjab, Bengal and the NWFP. The Sikhs, in danger of losing the most as a result of

partition, were becoming restive. The minorities in Sind and NWFP were becoming increasingly insecure about their future in Pakistan. The trickle of refugees from West Punjab was becoming a steady flow. The situation around the capital was also grim. There were reports of pitched battles being fought between the Muslim Meos of Gurgaon district and Hindu Ahirs and Jats. Patel, who had agreed to partition to get rid of the danger posed by the League to the unity and stability of India, to his chagrin found that, with the Muslim League's bastion still firmly established in the interim government and in the administration he could do nothing to cope with the deteriorating situation. They had cut off the head, but the headache refused to go.

On the day after the council of the All India Muslim League adopted its resolution accepting the partition plan, Gandhi once again wrote to Mountbatten to bring home to him the danger of allowing matters to drift: 'The sooner you have a homogeneous Ministry the better. In no case can the League nominees work independently of the whole Cabinet. It is a vicious thing that there is a joint responsibility for every act of individual members.... The problem of civil and military services demands the same firm handling. Gurgaon strife is an instance in point, so far as I know, one single officer is responsible for the continuation of the mischief.

'Lastly, may I suggest that the attempt to please all parties is a fruitless and thankless task. In the course of our conversation, I suggested that equal praise bestowed on both the parties was not meant. No praise would have been the right thing. "Duty will be merit when debt becomes a donation". It is not too late to mend. Your undoubted skill as a warrior was never more in demand than today.'

But Mountbatten the political administrator, dominated Mountbatten the warrior, and so the former continued with his own agenda, ignoring the dire warnings of one, who at that time, was endowed with clairvoyance. Gandhi feared that, for all his good intentions, Mountbatten would be bound by his own compulsions and the fetters of the colonial administration, and thus would be unable to avert the looming tragedy unless there was a radical change in the policy pursued since the Cabinet Mission's visit to India. Gandhi still felt that the Cabinet Mission's plan for India would be better than Mountbatten's partition plan. He decided on one last effort to convince the viceroy to see issues from his perspective. On the midnight of 27 June, Gandhi wrote to the viceroy. Since he finished writing when it was past

midnight, the letter was dated 27/28 June, 1947: 'I sent you a note in the afternoon. The time after the evening prayer and walk I wish to devote to talking to you on certain matters I was able to touch but could not develop when we met.

'I told the Parliamentary delegation that heralded the Cabinet Mission and the Cabinet Mission itself that they had to choose between the two parties or even three. They were doomed to fail, if they tried to please all, holding them all to be in the right. I had hoped that you were bravely and honestly trying to extricate yourself from the impossible position. But my eyes were opened when, if I understood you correctly, you said that Quaid-i-Azam Jinnah and the League members were equally in the right with the Congress members and that possibly Quaid-i-Azam Jinnah was more so. I suggested that this was not humanly possible. One must be wholly right in the comparative sense. You have to make your choice at this very critical stage in the history of this country. If you think that Quaid-i-Azam Jinnah is on the whole more correct and more responsible than the Congress, you should choose the League as your advisers and in all matters be frankly and openly guided by them.

'You threw out a hint that Quaid-i-Azam might not be able to let you quit even by 15th August especially if Congress members did not adopt a helpful attitude. This was for me a startling statement. I pointed the initial mistake of the British being party to splitting India into two. It is not possible to undo the mistake. But I hold that it is quite possible and necessary not to put a premium upon the mistake. This does not in any way impinge upon the very admirable doctrine of fair play. Fair play demands that I do not help the mistaken party to fancy that the mistake was no mistake but a belated and only partial discharge of an obligation.

'You startled me by telling me that, if the partition had not been made during British occupation, the Hindus being the major party would have never allowed partition and held the Muslims by force under subjection. I told you that this was a grave mistake. The question of numbers was totally untenable in this connection. I cited the classic example of less then one hundred thousand British soldiers holding India under utter subjection. You saw no analogy between the two instances. I suggested the difference was only one of degree.

'I place the following for you consideration:

(a) The Congress has solemnly declared that it would not hold by force any Province within the Union.
(b) It is physically impossible for millions of caste ridden Hindus to hold well-knit though fewer millions of Muslims under subjection by force.
(c) It must not be forgotten that Muslim dynasties have progressively subjected India by exactly the same means as the English conquerors later did.
(d) Already there has been a movement to win over to the Muslim side the so-called scheduled classes and the so-called aboriginal races.
(e) The caste Hindus who are the bugbear are, it can be shown conclusively, a hopeless minority Of these the armed Rajputs are not yet nationalists as a class. The Brahmins and the Banias are still untrained in the use of arms. Their supremacy, where it exists, is purely moral. The Shudras count, I am sorry, more as schedule class than anything else. That such Hindu society by reason of its mere superiority in numbers can crush millions of Muslims is an astounding myth.

'This should show you why, even if I am alone, I swear by nonviolence and truth together standing for the highest order of courage before which the atom bomb pales into insignificance, not to say of a fleet of dreadnaughts.

'I have not shown this to any of my friends.'

Mountbatten replied the very same day: 'I am glad you wrote because after reading your letter, I feel that almost from first to last I must have failed to make clear to you my meaning. I am glad that you have not shown your letter to others, since I should be very sorry that views should be attributed to me which I did not, in fact, express. I hope you will agree to discuss these matters again at our next meeting.' Unfortunately, there are no records to show that the two ever discussed these matters again. The fact remains that, for all his efforts, Gandhi failed to influence anyone to believe in what he felt was the right thing to do for his country.

During the last week of June and beginning of July the confrontation between the Congress and League ministers came to a boil. The situation became so volatile that, in exasperation, all the Congress ministers threatened to walk out of the government. The question of the continuation of the League ministers in the interim government could no longer be postponed. Uncharacteristically, it was Jinnah who solved the problem, rather than, as usual, creating one. He declared that he himself would be the

governor general of Pakistan. Mountbatten now felt himself free to act. Jinnah again made the surrender of portfolios held by the League ministers a matter of prestige, 'It would be an insult for the League Ministers to be asked to surrender their portfolios. The League would not tolerate such humiliation'. When Mountbatten suggested a formula which would satisfy everyone, Jinnah threatened to denounce as 'illegal' under the 1935 Government of India Act the viceroy's plans to reconstitute the interim government . Legal opinion obtained from London seemed to uphold Jinnah's objections. Mountbatten earned a respite. He could show that he had made efforts and he could also justify Jinnah's bullying tactics by citing legal validity. This lasted till the third week of July.

On 19 July 1947 the Indian Independence Bill was passed by the British Parliament and royal assent was given to it. The viceroy reconstituted the interim government, dividing it for all practical purposes into two provisional administrations, one for the Indian Union and the other for Pakistan. The two parts would consult each other only on matters of common concern, but act independent of each other in all other respects. A couple of days after the leaders of the three parties had given their assent to the partition plan, a small high-powered committee, comprising representatives of the Congress, the League and the Sikhs, was set up with the viceroy as chairman. The group would consider various problems arising from the decision for partition and the transfer of power. After the Punjab and Bengal provinces had decided in favour of their own partition, this committee was replaced by a Partition council, with wider powers and authority to take final decisions. A press release had been issued stating that all the parties in the Council had agreed before the viceroy that partition would be affected in a 'brotherly spirit'. Gandhi was sceptical about the sincerity of the expressed sentiments; experience had taught him differently. 'I am afraid we are deceiving ourselves and the people,' he remarked during the course of a conversation.

It was decided to invite Sir Cyril Radcliffe to serve as chairman of the Punjab and Bengal Boundary Commissions. His terms of reference were to demarcate the boundaries of the two parts of either province 'on the basis of ascertaining the contiguous majority areas of the Muslims and non-Muslims'. In doing so he was to also take into account 'other factors'. This gave hope to both the parties that the Boundary Commission would give them more than could be reasonably expected. The Muslim League hoped

that it would give them Calcutta and the Sikhs hoped their property holdings and other qualifications would give them a better chance in the Punjab. The expectations were running high on all sides; it was apparent that not all could be fulfilled, and disappointments arising from unfulfilled expectations further fuelled the existing tension.

Excitement reached a high in the second half of June in the neighbouring cities of Lahore and Amritsar. Both the cities were in the debatable zone in the Punjab; both had predominantly Hindu and Sikh populations and were built up largely by their capital and enterprise. They owned the bulk of the commercial and industrial assets and the moveable and immovable property. Amritsar was the religious capital of the Sikhs and Lahore was the capital of the Sikh empire founded by Maharaja Ranjit Singh. The Muslim League demanded the inclusion of both the cities in Pakistan on 'political grounds'. Since the announcement of the partition plan, both the cities were in the grip of absolute anarchy. In Lahore within the course of a day, more than a hundred homes had been reduced to ashes. As the month of June wore on, the refugee problem increasingly claimed more of Gandhi's time and attention. Some of them advised Gandhi to visit Haridwar, where 32,000 of them from Rawalpindi and various other towns of West Punjab were huddled together in about half a dozen refugee camps.

The officials in charge of the camps tried to garland Gandhi, but instead received a verbal lashing. Gandhi then went on to visit all the refugee quarters.

A news report filed by Reuters caught Gandhi's attention the day after his visit to the Haridwar refugee camp. It described a grand ceremony planned in London to mark the introduction in Parliament of the Independence Bill, announcing the birth of two nations. There was a thoughtless levity in England about the impending division of India. It was not as if they were ignorant of the tragedy and the violence that had preceded and threatened to follow independence. Lord Pethick-Lawrence made a rather flippant speech in Parliament during the debate on the Independence Bill. Describing an incident during his student days at Cambridge, he said one day their college porter left them one afternoon to go home as his wife was likely to deliver their baby that evening. The next morning he came back with a rather long face and reported that, instead of the single baby he was expecting, his wife had presented him with twins! 'Something like that has happened in India. Mother India has been in labour

for a very long time, and everyone was wondering what would be the character of the infant that would come into being. Lo and behold! Instead of one State emerging from the womb of Mother India, twin States are emerging, as described in the bill.'

The British regarded Indian unity as their proudest achievement and claimed that they deplored its dismemberment. The viceroy had even told the Indian leaders that a clause had especially been incorporated in the bill to enable the seceders to come back into the union by mutual agreement. Gandhi felt that if the Reuters' report was to be relied upon, the British Parliament was going to set its imprimatur on India's partition with a fanfare which was wholly incompatible with the spirit of what the viceroy had been telling them.

'The papers today talk of a grand ceremonial to take place in London over the division of India into "two nations" which were only the other day one nation,' Gandhi remarked during his prayer meeting on 23 June. 'What is there to gloat over in the tragedy? We have hugged the belief that though we part, we do so as friends and brothers belonging to one family. Now, if the newspaper report is correct, the British will make of us "two nations" and that with a flourish of trumpets. Is that to be the parting shot? I hope not.' How were the people going to meet this challenge? he asked. 'This division of India with sub-division of Provinces puts us on our mettle. If the major partner is true to his salt, the foreshadowed wisdom can be confounded not in the shape of avoiding partition, however distasteful it might be, but by right behaviour on the part of the major partner, by always acting as one nation, by refusing to treat Muslim minorities as aliens in their own home.'

He wrote to Patel: 'Look at Reuters' wire in today's papers. The bill will create two nations!!! What is the value then of these pompous talks that are going on here? If you have not given your consent to it you can prevent this crime against the Indian nation. After the bill is passed, nobody is going to listen to you'. A few days later Gandhi received a note from the viceroy stating that Nehru, Patel and he, all felt that Gandhi should 'unquestionably be shown' the Indian Independence Bill. Accordingly, Gandhi went with the Congress leaders to the viceroy the next morning. His immediate reactions to the draft Bill are on record, scribbled partly in pencil and partly in ink:

1. Some declaration should be made, if it cannot be included in the Statute, that dominion status would be temporary.

2. That it would be equal treatment for the two.
3. There is nothing to show that Pakistan is a seceder and that the entity of India is retained in spite.
4. No province can go over to the other dominion without consent.
5. Pakistan Assembly will not meet before the appointed date.
6. The States' position is uncomfortably weak. May 1946 statement should not be used to block progress.

Describing Gandhi's observations on the Bill, Pyarelal writes: 'The irritation had blown off but the steely barb had, if possible, entered even deeper into his heart, when he addressed his prayer meeting on the 5th July. He was not disposed, he remarked, like many critics to read a sinister meaning in the Bill. The fact that there were two Indias instead of one was bad enough in itself. Both had the same status, and the Muslim League was entitled to full credit for bringing about a state of things which seemed to be impossible only, as it were, the day before. They had undone the solemn declaration of the Cabinet Mission. They had succeeded in compelling consent from the Congress and the Sikhs to the division. The thing that was in itself did not become good because the parties concerned had accepted it, no matter that the causes dictating acceptance were different in each case. It was hardly any comfort that Jinnah did not get all he wanted. The difference was not at all in kind. He wanted a sovereign state. That he had in the fullest measure.

'As he read and reread the Bill, Gandhiji went on to say, he saw that the three parties had subjected themselves consciously or unconsciously to public judgement in terms of the Bill. Though the British were divesting themselves of all power, by becoming party to the division and having two members in the Commonwealth family possessing conflicting ideals and interests, they had put themselves to be weighed in the balance. So long as the two parts had any connection with Great Britain, the latter would be judged by action following the Bill rather than by its language, however generous and just it might read. He was afraid it would be a superhuman task to reconcile conflicting interests and treat them equally. What would happen if one decided to go out of the Commonwealth when the Constitution Act was passed?... The relation to the Princes remained in a most unsatisfactory condition. Here, again, British honour was at stake. The British would certainly be blamed if any mishap occurred.

'Some of the doings of the authorities in Pakistan had given ground for the fear, he went on to point out, that there would be an attempt to estrange schedule classes in Pakistan from their Hindu brethren. There had been reports of Muslim League speakers holding forth that the scheduled classes in Pakistan could have separate electorates. (Separate electorates were later forced on the minorities in Pakistan in the teeth of their opposition.) Was that to be a call for joining Islam of the Pakistani type?—Gandhiji asked. There had been tales of forcible conversions. Was Pakistan a means of converting non-caste-Hindus to a special brand of Islam? The world was fast growing out of the dogmas and creeds which had so sickened and confused it that it had begun to deny the very existence of the Maker. Happily that stage of negation was quickly passing and enlightened faith in the supreme Maker of the Universe was being restored. Was the Islam of Pakistan going to be in the vanguard of that movement for the restoration of universal faith? Or, was it to pass through darkness and denial of God in the name of God?

'Jinnah, Gandhiji concluded, had thus unwittingly placed Hinduism also on trial. He had said on the previous day that those who believed in India as a nation could have no minority and majority question; all are entitled to equal privileges and equal treatment. The Hindus had the rare opportunity of refining their religion of all dross and showing the strict justness that the brand of Hinduism of the Indian Union was the same as universal religion. Thus viewed, the Indian Independence Bill could be taken as the final examination of all the parties involved in the Bill. It was possible to turn Pakistan, which he had declared an evil, into unadulterated good. If all the forebodings were dispelled and enmities were turned into friendship and mutual distrust gave place to trust'.

With the partition of India came the contentious question of the division of its public assets and wealth and, especially, the division of its armed forces. Between the 1st and 11th July, the Partition Council laid down the principles which were to govern division. The fixed assets would naturally belong to the provinces they were situated in, but other assets—down to the blotters in government offices—had to be fairly divided between the two nations. While Sir Cyril Radcliffe patiently drew a line through the map of India, the Partition Council sat in New Delhi day after day, fighting over who would get what. A desk went to Pakistan and its matching chairs remained with India. A magnificent steed remained in India, while its

equally magnificent saddle was shipped off to Pakistan. Everything was to be divided and every item was fought over by the two sides. The question of dividing the armed forces between the two nations was, in the words of Lord Ismay: 'The biggest crime and the biggest headache.' 'The army is now being divided into Hindu and Muslim,' Lord Selborne reported to the House of Lords, 'in the manner in which sides are picked before a football match. It is impossible that peace will be maintained'.

Gandhi had hoped that it would be possible to write into the treaty of separation itself a provision for joint defence. It was a difficult proposition but not an impossible one, if both the parties were parting as friends and not as enemies, it was feasible. There was something wrong, he remarked at his prayer meeting on 6 July, that they missed the enthusiasm that should accompany such a great event as the imminent advent of full freedom. The reason for the lack of enthusiasm was no doubt to be found in the division of the country into two states which were to be turned into two armed camps. There was to be no common defence force. The army was to be divided; preparations were on to achieve this. They used to talk glibly during 'the glorious and strenuous days of opposition to British rule' of having no army for the suppression of internecine quarrels, which would be non-existent, and they wanted no defence force against a foreign enemy. But military expenditure was now to be maintained at a very high level without any near prospect of substantial reduction. In fact there was the awful prospect of a definite increase in the military expenditure—all for fighting amongst themselves—and they would have the spectacle of the two newly created states engaging in a ludicrous race for the increase of armaments all for mutual slaughter! Was India's freedom a preparation for the abandonment of all they had learnt to prize as dear to them? Instead of self-glorification, he felt it was time for deep self-introspection, self-examination and self-castigation. As the chief actor in the fight for freedom during the past thirty years, he said he was certainly full of searching questions within himself. 'Is the fight, acclaimed as noble, to result in this—the approaching inglorious end? In deep anguish I cry with the Vedic seers, "O Lord, Lead us from darkness into light".'

Since India was being divided in two, Gandhi remarked during his prayer meeting on 10 July, they had to consider their conduct accordingly. Unfortunately, it had become the fashion to behave like they were enemies. There were allegations that, in 1944, he had 'danced in attendance' on

Jinnah for eighteen days and the Muslim League was now reaping the fruits. Gandhi challenged this aspersion. He had made an offer to Jinnah, he said, which was in the interest of all concerned. If Jinnah had accepted his offer, he could have been a master in what could have been called 'Pakistan areas'. But they would have had one India before the whole world, without any fear of domination by a third party. But instead, everyone was now baying for the other's blood. He could sense no independence in that barbarous state. He could not be enthusiastic about the impending independence unless things changed during the next thirty-five days.

Why could they not, he asked, reverting to the theme a few days later, remain united for the object of facing foreign aggression? The present mode of division might well lead to internal warfare between the two armies who might even look upon each other as rivals. That would be a tragedy too deep. For years they had said that they did not want any army. He still stood by that statement, but others did not. A new generation had arisen. Congressmen were not bound by what they had done during India's bondage. No blame could be imputed to them for the change. Almost every province wanted military assistance. There was a danger of a military dictatorship being established. Was this freedom?—he asked. This last warning proved true in the case Pakistan, which for a majority of its years as a nation has been subject to the rule of generals.

As 15 August drew near, Gandhi noted with growing apprehension the portents that were gathering on the horizon. Vivisection of the country was the price that India had paid to avoid chaos and anarchy. But from the look of things, India after partition was heading for a worse time. Jinnah had once again promised complete freedom of faith, religious worship and full security of life and property to all minorities in Pakistan. But there was a wide chasm between what was professed and what was practiced. In Sind, non-Muslims were leaving their homes and fleeing with whatever they could carry on their person. In the meanwhile, nationalist Muslims were being warned by prominent Leaguers that, after Pakistan was established, they would be tried and hanged. Mountbatten had been able to incorporate in a Partition Council statement, a solemn assurance by both parties a guarantee of civil rights for minorities and former political opponents. But guarantees for the future that were belied by present performance had absolutely no value for Gandhi. He felt deeply worried at the complacency with which those concerned seemed to regard repeated, flagrant violations

of solemn guarantees, while they deceived themselves with the hope that ultimately there would be peace. He knew how inexorable was the working of the moral law and how inevitable the penalty when that law is trifled with. He was increasingly apprehensive by the growing tide of counter communalism that was being bred in the Indian Union by the continued ill treatment of minorities on the other side. He was aware that, in some sections of Hindu society, the creed of revenge was firmly rooted, especially in some of the upper castes who were under the spell of Savarkar and his Hindu Mahasabha, as well as those who believed in religious segregation and Hindu supremacy as espoused by the RSS. However, he was aware that these organisations appealed to a small percentage of the population. For more than thirty years he had been able to keep the nation together; but the division of the country was rapidly severing the fragile threads of unity that he had woven.

Around this time Arthur Moore, a former editor of the *Statesman*, met Gandhi. They had met earlier in 1924, when Gandhi had undertaken a twenty-one day fast for Hindu-Muslim unity, in New Delhi. Moore had then termed the method of fasting as a moral weapon for change as a 'complete failure'. He still had his doubts about its efficacy. 'It does not look like a success so far,' Gandhi said, referring to the 1924 fast, and added, perhaps as an expression of hope rather than an affirmation of faith, 'but there must be some result'. Moore thought Patel's attitude was bellicose, but Gandhi corrected him. 'You do not know the Sardar,' he said. 'He is not vindictive or communal. But he does not share my belief that non-violence can conquer everything. He used to be a whole-hogger once. He is so no more.'

'The Sardar is the most popular leader. Perhaps that explains it,' Moore said.

'No,' Gandhi replied, 'the Sardar is the strong man. He will not let any difficulty baffle him. That is the explanation.'

It has been alleged by some that Gandhi was a dictator who forced his will on the Congress, and in turn the whole country. But history reveals otherwise. During the Non-cooperation Movement in the twenties, a group of Congress leaders had broken away to form a Swarajist group under the leadership of Deshbandhu C.R. Das. This group felt they should carry out their non-cooperation movement from within, by joining the Councils. A fanatical 'no-changer' had urged Gandhi to revive disobedience to punish the Swarajists. Gandhi refused; though he did not approve of their

programme, he preferred to fight the government rather than the Swarajists. In 1940, when the Congress declared that if the British government accepted their terms, it would join the war on the side of the Allies, Gandhi refused to object. He allowed his colleagues to follow their own judgement, although he told them that he felt they were wrong. The reason he gave for following this course was significant: 'I had produced a draft resolution which almost all thought was the best, if they could bring to bear a living belief in non-violence through and through, or if they could truthfully say that such was the belief of their constituencies. Some had neither and some had individually the required faith. Rajaji was as certain of his position as I was of mine. I could not carry the Committee with me. I at once saw as clear as daylight that, if my position was not acceptable, Rajaji's was the only real alternative.'

The second cause for the myth is Gandhi's insistence on the removal of Netaji Subhash Chandra Bose as the Congress president, after he was elected by the party delegates at the Haripura Session. However, almost all the leaders of the CWC were against Bose. Right through his first spell as the president of the Congress, Bose was opposed by Patel and Jawaharlal Nehru. Patel had launched an open non-cooperation movement against Bose as he disapproved of the latter's socialist ideology. Nehru perhaps sensed a challenge to his position as the leader of the younger generation of Congressmen, and left no stone unturned to weaken Bose's power in the party. Gandhi did not approve of Bose's methods to fight the British; also, knowing how the other leaders felt, he sensed that, if Bose were to continue as president, the party would disintegrate and with it the unity that was a strength of Gandhi's non-violent fight for freedom. Gandhi therefore made his displeasure known and asked for Bose's resignation. It was after this, that the other disgruntled leaders went into overdrive and ensured the nomination of an alternative president and forced Bose out of the Congress. Gandhi was not a person who indulged in political intrigue and conspiracies: if he was opposed to an action, philosophy or person, he publicly voiced his displeasure. He did not carry grudges either; after severely criticising a person he would be seen laughing and joking with him or her the very next minute. This was true of his relationship with Bose as well. Even after the latter had quit the Congress and formed the Forward Bloc, they remained friends and had immense respect and affection for each other. Gandhi was the first to address Bose as 'Netaji'. Bose, on the other

hand, in his address to the Indian nation from Rangoon, for the first time publicly referred to Gandhi as the 'Father of the Indian Nation'.

During the Simla Conference in 1945, Gandhi was asked by Preston Grover of the Associated Press of America, why he had not asserted himself against his colleagues when, despite his advice, they accepted the 'parity formula'. Everyone—Jinnah, Lord Wavell, the country in general and all the observers at the conference—looked upon Gandhi as the head of the Congress regardless of the technicality that he was not a member, Grover said. No settlement would be reached without his consent. 'That is both right and wrong,' Gandhi replied. 'That impression has been created because generally my advice is accepted. But technically and substantially it is wrong.'

Grover insisted that Gandhi's was the controlling voice in the Congress to which Gandhi replied, 'Not even that. They can shut me out at any time. If I tried to override them, I might succeed for once. But the moment I try to cling to power I fall, never to rise again. That is not my temperament.'

Finally, at the time of the Cabinet Mission negotiations in June 1946, not only did Gandhi not force the Congress leaders to follow his 'instinct'—which was against the acceptance of the Cabinet Mission Plan—but also insisted that, unless what he told them appealed to their head and heart, the only right thing for them was to follow their own judgement.

If the British had dared to impose the division of India without the approval of the Indian parties, Gandhi—even if all alone—would have fought against it. But the League, as well as the Hindu supremacist parties headed by Savarkar had already endorsed the two-nation theory. Thus at the time of the agreement to divide India, Gandhi stood alone. Overriding the Congress' decision may not have ultimately prevented partition, and he would have certainly destroyed their political credibility. As a result, the country, looking for astute leadership, would have been faced with a vacuum, the kind Pakistan faced after Jinnah's death.

Meanwhile, some members of the Muslim League made it known that they were not content with the version of Pakistan that had come into existence. They vowed that they would not rest till they secured Delhi, Agra, Ajmer and Aligarh, the most important seats of Muslim culture in India, for Pakistan. Before partition the League's slogan had been 'Ladhke lenge Pakistan', 'We will take Pakistan by fighting'; this was now modified to 'Hanske liya hai Pakistan, ladhke lenge Hindustan', 'We have taken

Pakistan with a smile, we will take Hindustan with a fight'. These acts were meant to instigate Hindus, and the Congress succumbed. Since Pakistan was to be an Islamic state, some leaders said, why shouldn't the Indian Union be declared a Hindu nation? The Muslims who, by their very act of not aligning with Pakistan or the Muslim League's political agenda, had proved their loyalty to India, were now being eyed with suspicion and branded as traitors. At one stage, even a leader of Patel's calibre had harboured doubts about the loyalty of the Muslims who had stayed back in India. Gandhi, however, said that no matter what events unfurled, the Congress government could not discriminate against anyone on the grounds of religion. He likened the situation to the tragic life of his eldest son Harilal. 'My eldest son has often come to me saying, "I will be good in future, I will not touch wine". I tell him, "Though I do not trust you, I shall give you a chance". He has not been able to keep his word so far. Yet, if he comes again, I will not turn him out, and I shall hope that he will keep his word, until I know that he has come back only to deceive me. We must trust the Muslims in the same way and at the same time be vigilant.'

Although publicly he did not show the deep hurt he felt about the division of his country and the rejection by his former proteges, the isolation he felt was very apparent in letters he wrote to his colleagues. 'Freedom has come but it leaves me cold,' he wrote to Asaf Ali, the newly appointed Indian ambassador to the United States, in the third week of July. 'So far as I can see, I am a back number. I have come to the conclusion that our way was non-violent only superficially, our hearts were violent. It was enough to displace the foreign power. But the violence nursed within has broken out in a way least expected. Heaven knows where it will lead us'. To another co-worker he wrote, 'Where is swaraj? The British are going but what is there in it to get excited about?'

'I almost despair of seeing peace in my lifetime,' he wrote to Sushila, his daughter-in-law. 'What is going on in the country in connection with the transfer of power and Pakistan is putting a heavy strain on me. I have, therefore, lost confidence in my capacity to live for long.' His frequent references to a lack of desire on his part, in the existing circumstances, to live long drew a remonstrance from the American interpreter of Gandhian philosophy and non-violence, Richard Gregg, the author of *The Power of Non-violence*. He said that he read in Gandhi's utterances despondency and a loss of hope. He entreated him to reconsider his attitude. There was far

more at stake than present violence in India 'even if this state of affairs should continue for fifteen years'. Replying to this in *Harijan*, Gandhi said that the statement that he found no place for himself in a society that based itself on violence had nothing to do with a loss of hope; he did not want to harbour the idea of hopelessness. At the same time, he reaffirmed his belief that there could be no place for a man of peace in a society full of strife. 'Yet he may hope by ceaseless striving to make a place for himself. That is exactly the meaning of my statement. I am in that society, though not of it. The statement registers my protest. We may not tell God that if violence, the folly of men, does not stop within a certain time that fits our hopes, we will stop doing our utmost including living as long as we can.'

Quaker peace activist Carl Heath took up issues with Gandhi and said that his statement was tantamount to a declaration of loss of faith, which was worse even than loss of hope. 'The number of years that you live in this world is not of supreme importance to the multitude of your friends, but it is of supreme importance that you maintain your radiant hope. For hope in the man of faith is the same thing as belief in God. He hopes, not because of any confidence in the working out of human purpose but because of the deep faith in God and the purpose of the Eternal. What I believe has happened to you, dear friend, is a heart sickness due to the pain of communal violence in India and the severance of your country the Muslim League has compelled us all to accept. But all the planning of men are in time. The will of the Eternal Good prevails at the end—for God reigns'.

'I wholly agree with you,' Gandhi replied, 'that the number of years a person lives in this world is of no consequence whether to him or to the world but even a day spent in true service of mankind is of supreme and only importance'. He further conceded that hope and faith were as often as not synonymous terms. 'Of course God is eternal, evil transitory'. That, however, did not affect the core of his argument. Gandhi maintained that, although his anguish was immense his attitude was not one of despair. His anguish did not betoken a desire to run away from evil. If anything, his anguish was only a measure of his determination to grapple with evil and do or die in the effort. His philosophy of non-violence was being challenged in the altered circumstances. Many questioned the very legitimacy of non-violence, saying 'non-violence has a limited potency and a limited objective, it cannot be employed in the new situation that has arisen'.

Gandhi told them that, although they were not aware of it, the law of non-violence was in operation in their midst at that moment.

Gandhi did not like the path his Congress colleagues seemed to be taking. At the same time he did not want to openly criticise them lest he should embarrass them. In the last week of July, he wrote to Patel: 'I do not like much of what is going on here. That does not mean that you should alter your course, but I do not want it to be said that I was associated with it.... I also feel that *Harijan* should now be closed. It does not seem to me to be right to give contrary guidance to the country. Think over it at your leisure'. To the manager of *Harijan,* he wrote: 'Perhaps we may have to decide to close *Harijan.* My mind rebels against many things that our leaders are doing. Yet I do not feel like actively opposing them. But how can I avoid it if I am running a paper? You do not want to run it without me, nor does the Sardar'.

Gandhi had mentioned in his letter to Patel that he would like to return to Noakhali, but the Congress leaders wanted him to remain in the capital. With the date for independence fast approaching, the Congress leaders were trying hard to cope with the every day issues of running a country, including the princely states. Although almost all the princely states fell inside the borders of what was to be India after partition, Jinnah nursed ambitions of persuading some of the Muslim rulers and as many others as he could to declare independence and then form unions with Pakistan. Many of the princes had accepted that their previous way of life was coming to an end and had more or less accepted the terms offered by the Union of India. Most of them had signed the 'Instrument of Accession' prepared by V.P. Menon, secretary of the state department under Patel. The instrument left the constitutional independence of the states untouched barring three issues—defence, external affairs and communications—which they surrendered to the Union government.

By the time of independence three princes remained who refused to surrender—Hyderabad, Junagadh and Kashmir. A 'standstill' agreement for one year was signed with Hyderabad in November 1947, the same being made permanent before the end of the year. Junagadh was successfully dealt with some time later by a popular movement against the Nawab's decision to accede to Pakistan. But Kashmir became a bone of contention between India and Pakistan and a festering sore in the body politic of both. 'The more I think over it, the more I feel that as soon as the matter of Kashmir is

settled, I should leave Delhi,' Gandhi wrote to Patel on 24 July 1947. Nehru had decided to visit Kashmir in support of the incarcerated pro-democracy leader Sheikh Abdullah whose trial was scheduled to start on the same date. The Maharaja of Kashmir, Hari Singh, warned Nehru that while he was in the Valley he should confine himself to the defence of Sheikh Abdullah. If he participated in any other political activity he would have to 'face the consequences of his actions'. Hari Singh was a Hindu king who ruled over a state with a majority of Muslim subjects. Sheikh Abdullah; leader of the pro-democracy movement, was a Muslim. Hari Singh, in an effort to prolong his sovereignty, was known to have parleyed with the Muslim League as well as the militant Hindu lobby. With the Muslim League his plea was that, as the head of a largely Muslim population he deserved their patronage, while to the Hindu fanatics he appealed to them to rush to the rescue of a beleaguered Hindu king menaced by Muslims.

Based on the report of the goings-on in Kashmir submitted to the CWC by Nehru, it was decided that a fact-finding mission be sent to Kashmir under the leadership of Patel and Maulana Azad. The Congress resolution was sent to Hari Singh. The Maharaja responded that he would allow only Patel, and that only in his personal capacity, to come to Kashmir and study the situation. The leaders of the Kashmir National Conference, headed by Sheikh Abdullah, were anxious for Nehru to visit Kashmir, but Hari Singh adamantly refused to allow this. Gandhi wrote to Mountbatten to ask whether Hari Singh would allow him or Patel to visit instead of Nehru: 'Panditji was with me. I gave him the purport of the conversation about Kashmir. I share his anxiety that the matter brooks no delay. For him it is one of personal honour. I have simply undertaken to replace him to the best of my ability. I would like to free him from anxiety in this matter'. Mountbatten wrote to Hari Singh, advising him to agree to allow Gandhi to visit Kashmir. The Maharaja refused to pay heed to the viceroy. On 11 July Gandhi wrote again to the viceroy: 'I am still without any news from Kashmir. If I was not bound by any promise made to you, of course I would not want any permission to go to Kashmir. I would simply go as any private person.'

By the last week of June, Nehru was thoroughly disgusted by the tactics employed by Hari Singh and his prime minister, Pandit Ramchandra Kak. He declared that he would go to Kashmir at the invitation of the people of Kashmir, disregarding Hari Singh's wishes. This precipitated matters and

Kak hastily wrote to Mountbatten that, under the circumstances, they were now willing to allow Gandhi to visit Kashmir. Gandhi finally left for Kashmir on 30 July and reached Srinagar on the afternoon of 1 August. In the evening he was taken out for a drive around the capital, which had been lit up to celebrate the restoration of Gilgit to Kashmir, an area administered by the governor general through the Political Department. On seeing the area lit up Gandhi remarked, A great mistake. They should have taken this opportunity immediately to proclaim autonomy for Gilgit within Kashmir.' Almost hundred per cent Muslim in its population, Gilgit was a hotbed of separatist seditious activity promoted and pampered by the Political Department's regime. With characteristic foresight, Gandhi recognised in the unqualified inclusion of Gilgit in Kashmir the seeds of future trouble.

Gandhi stayed in Srinagar for two days. During this time he met the prime minister and the Maharaja, and had a series of interviews with leaders and workers of the National Conference. On the evening of 3 August, after driving down a dusty road through the crowded bazaar, Gandhi visited the Abdullah residence where he met Begum Abdullah who had arranged a lavish tea reception in his honour. 'India will be free on 15 August, what of Kashmir?' a deputation of political workers asked him at Jammu. 'That will depend on the people of Kashmir,' Gandhi replied. They also wanted to know whether Kashmir should join the Union or Pakistan. 'That again,' answered Gandhi, 'should be decided by the will of the Kashmiris.'

After his morning prayers, he resumed the journey to Rawalpindi, stopping briefly at the Wah refugee camp on the way. There were about 9,000 refugees from Rawalpindi and the surrounding area in the camp on the day of his visit. The situation of the refugees was indeed horrific. Gandhi visited the Panja Saheb gurdwara on his way back. It had been attacked twice by Muslim mobs during the disturbances. Sikh defenders had managed, to repel both the attacks, but they were perturbed about the safety of their shrines in West Punjab. They wanted eastern Punjab to be declared a Sikh state. Gandhi told them that it was unworthy of them to even harbour such ideas. He said, 'I would like every Sikh to be a defender of his faith. I want you to shed all fear about the future and to rely on the plighted word of the Muslim leaders, God is the judge, and the world which is His creation, will judge the Muslim leaders, not according to their pledges and promises, but according to their deeds and those of their followers.' The refugees at Wah camp wanted Gandhi to stay with them till 15 August, but

due to pressing engagements he could not. He said he would leave with them instead, as hostage, Dr. Sushila Nayyar, who was like a daughter to him. If anything untoward happened to them, she would be the first to die.

Gandhi boarded his train at Rawalpindi. He intended to travel across the Gangetic plains of North India to Patna, onto Calcutta and then hopefully to Noakhali. Halting at Lahore en route he wrote from Mrs. Rameshwari Nehru's residence to Patel on 6 August 1947: A lot of useful work has been done in the Wah camp. People ought not to be removed from there. You ought to take up this matter with the Pakistan Government. Rawalpindi should again have a Hindu-Sikh population. You should see my speech at Panja Saheb and Wah camp. I have made the suggestion there. I have left Sushila behind in Wah camp. I felt it to be necessary. It cheered up the people. They are in a panic. I see no reason for it'. He also sent a report on his visit to Kashmir to Nehru to be shared with Patel: 'No public prayer was held on the day of arrival but I appeared before them twice or thrice and said that I could not make any public speech, not because there was any prohibition but because I had promised to myself that if I was to make my visit devoid of political significance insofar as it was possible, I must not address public meetings. The Prime Minister told me that he had no objection whatsoever to public prayers. Consequently, public prayers were held during the two days following in Srinagar and the third in Jammu.

'During the two interviews with the Prime Minister I told him about his unpopularity among the people. He wrote to the Maharaja that on a sign from him he would gladly resign. The Maharaja had sent a message that the Maharaja and the Maharani were anxious to see me. I met them; the heir-apparent with his leg in plaster was also present. Both admitted that with the lapse of the British Paramountcy the true Paramountcy of the people of Kashmir would commence. However much they might wish to join the Union, they would have to make the choice in accordance with the wishes of the people. How that could be determined was not discussed at that interview.

'Ghulam Mohammad Bakshi was most sanguine that the result of the free vote of the people, whether on the adult franchise or on the existing register, would be in favour of Kashmir joining the Union provided of course that Sheikh Abdullah and his co-prisoners were released, all bans were removed and the present Prime Minister was not in Power. Probably he echoed the general sentiment. I studied the Amritsar treaty properly

called the "sale deed". I presume it lapses on the 15th instant. To whom does the State revert? Does it not go to the people?' In a letter to Patel he wrote: 'He [the Maharaja] wishes to remove Kak.... The only question [before him] is how.... In my opinion the Kashmir problem can be solved.'

Gandhi's mere presence in the Punjab and Kashmir had a positive effect on the communal situation; attacks had stopped, arson and violence had been halted, giving the persecuted population great relief. Gandhi reached Patna on the morning of 8 August and spent the entire day meeting Congress leaders and the Bihar ministers. That evening, at the prayer meeting, he asked the people of Bihar to observe 15 August by praying, fasting and sacrificial spinning. 'The *charkha* has made Bihar. Even today Bihar leads in spinning. Heaven forbid that Bihar should reduce to ashes all that it has achieved so far.' After his prayer meeting he rushed to the station to board the train for Calcutta. At a small wayside halt, the crowd was frenetically enthusiastic. Manu and Abha immediately saw the danger of the situation going out of control and resulting in a tragedy. They started rhythmically clapping their hands and chanting the *Ramdhun*, which finally soothed the mob.

When Gandhi arrived in Calcutta on 9 August, the political scenario had undergone a change. On 3 July, after Bengal had decided in favour of its own partition, a separate Cabinet had been sworn in for West Bengal headed by the leader of the West Bengal Assembly Congress party, Dr. Prafulla Chandra Ghosh. In advocating a unified sovereign Bengal, Suhrawardy had upset his Central leadership which had retaliated by selecting Khwaja Nazimuddin as the chief minister designate for East Bengal. The existing Muslim League Cabinet remained in actual administrative charge of the various portfolios for the whole of Bengal till 15 August, but its decisions were applicable only to East Bengal; any decision affecting West Bengal had to be approved by the West Bengal Cabinet.

Calcutta had never quite returned to a state of normalcy since the Great Calcutta Killings of August 1946. Bitter memories of the brutality of the Muslim League's Direct Action Day had embittered relations between the two communities. Additionally, because the partition plan gave government servants the freedom to choose which dominion they wanted to join and all Muslim policemen and officials had opted for Pakistan, Hindus had been appointed in their place, further disturbing the Muslim population. Soon

after his arrival at Sodepore Ashram, Dr. Ghosh went to meet Gandhi and briefed him about the situation. That evening Gandhi said that he would not hold an inquiry into what had happened under the Muslim League ministry; he was more concerned with what his friend Ghosh's ministry was doing. If the Muslims of Calcutta were living in terror, it was a severe reflection on the Congress ministry. 'The Government must hold itself responsible also for the acts of the criminals. I will not be a living witness of India's reversion to slavery, which will be her lot, if the Hindu-Muslim quarrel continues, but my spirit will weep over the tragedy even from beyond the grave. My prayer is that God will spare us that calamity.' Announcing his decision to postpone his departure for Noakhali, Gandhi remarked that it was unthinkable that under a government well-versed in the art of administration, the majority could for even one moment be permitted to coerce the minority. He had been told that, now that the Congress ministry was in power, the Hindu police and officers had become partial in the administration of justice, and were doing what the Muslim police and officers were alleged to have done before. He was loath to believe it. 'If this wretched spirit of communalism enters the police force, the prospect is bleak indeed'.

Suhrawardy, who was in Karachi and was to have stopped for a couple of days in New Delhi, heard that Gandhi was in Calcutta en route to Noakhali; Suhrawardy decided to skip his trip to Delhi and visit Calcutta instead. On 11 August he called upon Gandhi at Sodepore Ashram and said that it would be unfitting on his part to leave Calcutta while the city was burning. Gandhi said he was willing to stay if Suhrawardy was prepared to work with him in restoring peace. Gandhi suggested that they live together under the same roof in the disturbed areas, unprotected by the police or the military, and meet people. If Suhrawardy accepted the offer, Gandhi said, he would postpone his trip to Noakhali indefinitely and remain in Calcutta as long as necessary. Gandhi told Suhrawardy to take his time, sleep over it, consult his aged father and his daughter, and then inform him of his decision.

The Suhrawardy of 1947 was a chastened man; different from the one who had stormed out of Gandhi's room and termed a similar offer 'mad' just three months back. The next afternoon Mohammad Usman informed Gandhi that Suhrawardy had accepted his suggestion. At the evening prayer meeting Gandhi announced his decision of extending his stay in Calcutta.

He added that he had been warned not to trust Suhrawardy. But he would trust and would expect to be trusted. Gandhi wrote to Patel on 13 August, informing him of his decision: 'I have got stuck here and am now going to undertake a grave risk. Suhrawardy and I are going from today to stay together in a Muslim quarter. The future will reveal itself. Keep close watch. I shall continue to write'.

The very vigilant and forthright Patel had been observing the goings-on in Calcutta and expressed his concern in a letter: 'So you have got detained in Calcutta and that to in a quarter which is a veritable shambles and a notorious den of gangsters and hooligans. And in what choice company too! It is a terrible risk. But more than that, will your health stand the strain? I am afraid; it must be terribly filthy there. Keep me posted about yourself.

Gandhi always intimated all the members of his extended family of any major decision or assignment. On the 13th, the day's post contained several handwritten letters informing people about his mission in Calcutta; work carried on till 1.30 in the afternoon that day. Gandhi had sent word to Suhrawardy that he would be starting from Sodepore for his new residence in Beliaghata exactly at half past two in the afternoon, and so he should arrive in time to accompany him. Gandhi, ever the stickler for punctuality, left his room at exactly 2.28 pm, took his seat next to the driver, and at 2.30 the car sped off towards Beliaghata.

Hydari Mansion was an old abandoned Muslim house in Beliaghata, an indescribably filthy locality of Calcutta. In the past twelve hours, however, an effort had been made to clean it up. The ramshackle building was open on all sides to the crowds that had begun to gather ever since word had spread about its new occupant. There was only one bathroom, which was used indiscriminately by hundreds of people, including the police on duty and Gandhi's visitors. Three rooms had been cleared for Gandhi and his party—one for him, one for his baggage and for members of his party to stay in and the third to be used as his office.

An angry mob greeted Gandhi's and a little later, Suhrawardy's cars, and the situation threatened to take an ugly turn. Gandhi sent some members from his party to plead with the demonstrators and ask them to remain peaceful as he was willing to listen to their grievances. The situation has been described in detail by Pyarelal: The demonstration was still going on when Horace Alexander, who had been asked by Gandhiji to come and stay with him at Beliaghata, arrived. The demonstrators tried to stop him too. An

Indian friend accompanying Horace tried to reason with the mob. In reply there were even shriller cries of "Gandhi, go back". Finally, they both got out of the car and walked into the house. The shouting continued.

'Some young men tried to climb in through the window of the room in which Gandhiji was sitting. Members of Gandhiji's party begged them to desist. It was no use. Horace began to shut the windows. This, as he himself afterwards put it, proved to be a "most misguided action". Almost immediately stones were thrown through the glass of the windows and glass was flying in all directions. We then realised that there were wooden shutters and these we closed, though stones were still thrown against them for a time. A press reporter came up to me and said, "Are you hurt?" I said, "No, but there is some glass in my hair!"

'Presently the representatives of the demonstrators were ushered in to meet Gandhiji. One of them began: "Last year when Direct Action was launched on the Hindus on 16th August, you did not come to our rescue. Now that there has been just little trouble in the Muslim quarters, you have come running to their succour. We don't want you here."

'Gandhiji: Much water has flown under the bridge since August, 1946. What the Muslims did then was utterly wrong. But what is the use of avenging the year 1946 on 1947? I was on my way to Noakhali where your own kith and kin desired my presence. But I now see that I shall have to serve Noakhali from here. You must understand that I have come here to serve not only Muslims but Hindus, Muslims and all alike.... I am going to put myself under your protection. You are welcome to turn against me and play the opposite role if you so choose. I have nearly reached the end of my life's journey. I have not much farther to go.... I have given the same ultimatum to the Muslims of Noakhali too; I have earned the right. Before there is another outbreak of Muslim madness in Noakhali, they will find me dead. Why cannot you see that by taking this step I have put the burden of the peace of Noakhali on the shoulders of Shaheed Suhrawardy and his friends—including men like Mian Ghulam Sarwar and the rest? This is no small gain.'

The evening prayer was held inside the compound of Hydari Mansion. Over ten thousand people squeezed into the tiny place. After the prayers Gandhi said, 'From tomorrow, 15 August, we shall be delivered from the bondage of the British rule. But from midnight today, India will be partitioned too. While, therefore, tomorrow will be a day of rejoicing, it will

be a day of sorrow as well. It will throw a heavy burden of responsibility upon us. Let us pray to God that he may give us strength to bear it worthily. Let all those Muslims who were forced to flee return to their homes. If two millions of Hindus and Muslims are at daggers drawn with one another in Calcutta, with what face can I go to Noakhali and plead the case of the Hindus with the Muslims there? And if the flames of communal strife envelope the whole country, how can our new born freedom survive?'

Many in the crowd began asking agitatedly for Suhrawardy. Gandhi replied that he had asked him to stay away from the meeting as he wanted to avoid the slightest cause for irritation. He added that, as the crowd had shown supreme tolerance, he would ask Suhrawardy to join them the following day.

After the prayer, Gandhi returned to his room and sat down to work. A little later, Gandhi appeared at a window overlooking the street. A group of angry young men had gathered there and were raising slogans against Suhrawardy. Gandhi beckoned Suhrawardy to his side and stood there in full view of the crowd, resting one hand tactfully on his shoulder and the other on Manu's shoulder. Someone from the crowd shouted, 'Are you not responsible for the great Calcutta killing?'

'Yes, it was my responsibility,' Suhrawardy said, owning up for the first time, publicly, to his role in the massacres during Direct Action Day.

This unequivocal and candid confession of his guilt by one who had never known humility, had a profound effect on the crowd. 'It was a turning point,' Gandhi remarked later. 'It had a cleansing effect. I could sense it.'

At Gandhi's request the armed guards positioned outside the Hydari Mansion were removed from the midnight of 15 August, and young volunteers stood there instead, both Hindus and Muslims in equal numbers.

As the clock struck twelve, a loud cheer went up. India was free! The whole nation erupted with joy, but the one man who had spearheaded the battle for independence for the past three decades was fast asleep on the floor of a darkened room in a dilapidated mansion in one of Calcutta's filthiest localities. In New Delhi, the men he had groomed to take on the responsibility of shepherding India through its infancy, were busy with a ceremony which rivalled, in its pomp and pageantry, the great durbars held by the Raj during its century-long enslavement of India.

That morning, Gandhi woke up at two, an hour earlier than usual. The day also marked the fifth death anniversary of his close companion and

secretary of twenty-five years Mahadev Desai. Gandhi observed the anniversary in his usual way by fasting and recitation from the *Gita* after the morning prayers.

In the exuberance of independence a large Crowd invaded Government House, the governor's residence. For the many years of enslavement it had been a symbol of British might, a place forbidden to the common man of India. Now in their euphoria they forgot that C. Rajagopalachari, 'Rajaji', the incumbent, was a representative of their own government; the governor of West Bengal was made a virtual prisoner until the mob was forced out by the police and military.

Nearly 30,000 people gathered for the evening prayers on Independence Day. The ground adjacent to Hydari Mansion was choked with people. Gandhi congratulated the citizens of Calcutta on the unity they had achieved and displayed that day. He felt sure that the example they had set would affect the Punjab and other parts of India. He warned the people to use their freedom with wise restraint. They were bound to treat Europeans, who stayed in India, with the same regard as they would expect for themselves.

A letter Gandhi wrote on 15 August to one of his European admirers, Agatha Harrison, mentioned how he had celebrated that day: 'You know my way of celebrating great events such as today's, is to thank God for it and therefore to pray. This prayer must be accompanied by a fast. And as a mark of identification with the poor and dedication there must be spinning. Hence I must not be satisfied with the spinning I do everyday but must do as much as is possible in consistence with my other appointments.'

In another letter to Rajkumari Amrit Kaur, he wrote: 'I am in a Muslim house. They are all very good. I have taken no one from Sodepore Ashram. Hence the help I need comes only from Muslim friends. This is not for me a new experience. It reminds me of old days in South Africa and the *Khilafat* days here. For the moment I am no enemy. Who knows how long this will last! Hindus and Muslims have become friends practically in a day. Suhrawardy has become transformed, so it looks.'

Rajaji came to meet Gandhi after being freed from the besieged Government House. As a mark of respect he removed his sandals at the entrance and walked barefoot across the entire length of the hall. Apart from being old colleagues who had maintained their friendship though they

had differing political ideologies, the two were also bound by marriage: Gandhi's youngest son Devdas was married to Rajaji's daughter Laxmi.

Nearly fifty thousand people gathered for the evening prayers on 16 August, and on the 17th there was a crowd of nearly a hundred thousand. While addressing them Gandhi wondered how much of their enthusiasm was genuine. He said, 'Everybody is showering congratulations on me for the miracle Calcutta is witnessing. Let us all thank God for His abundant mercy. But let us not, in this pardonable exuberance, forget that there are isolated spots in Calcutta, where all is not well. I have heard that in one place the Hindus are not prepared to welcome back the Muslim residents who were obliged to leave their homes.... I appreciate your overflowing affection, but I hope it will not prove to be a momentary ebullition.'

Referring to the large number of Hindus and Muslims at the prayer meetings everyday, Suhrawardy said no one could have imagined that a meeting of the two communities in such numbers was possible in Calcutta. He said in the Park Circus area, a predominantly Muslim locality, Hindus were already taking possession of their abandoned homes. He added that he would show the world that no differences existed between them.

However, Gandhi could sense that trouble was brewing. In a letter written to Mirabehn on 18 August, Gandhi mentioned the doubts that assailed him: 'The joy of the crowd is there but not in me is any satisfaction. Anything lacking in me? Hindu-Muslim unity seems to be too sudden to be true. They ascribe the transformation to me. I wonder! Probably things would have been like this even if I had not been on the scene. Time will show'. The first indication of the trouble Gandhi foretold came that very day. It was the Muslim festival of Eid. A large number of Muslims came to visit Gandhi from early morning. As it was the day of his weekly silence, Gandhi wrote out a short message greeting them. In the afternoon, he got news about trouble in Barrackpore, fourteen miles north of Calcutta: trouble had erupted over a procession which had been taken out the previous day. Gandhi visited Barrackpore late in the afternoon, by which time the trouble had subsided; the episode ended in the two communities embracing each other.

That evening Gandhi was given a report of another incident that had occurred in Kanchrapara, an industrial area twenty-six miles to the north of Calcutta. The incident related to music being played outside a mosque while namaaz was being offered. The police had to resort to firing to control

the mob, resulting in the death of several people. Gandhi visited Kanchrapara on the 19th, and referring to the unfortunate incident he suggested that, until the Congress and the Muslim League or the prime ministers of India and Pakistan came to a different agreement, the practice in regard to playing of music in the vicinity of mosques, often under compulsion, should be freely and voluntarily followed in both the states as had been the practice during the British regime.

There was tension in certain areas for another reason. A mix up had occurred because Bengal was divided twice: once under the notional division and then by the Boundary Commission's award. Under the former, the Hindu majority districts of Khulna and Chittagong Hill tracts were included in West Bengal and the Muslim majority district of Murshidabad, in East Bengal. The Boundary Commission's award reversed this. In these areas, Independence Day had been celebrated according to the notional division. On this being reversed, and the border redrawn according to the Boundary Commission's award, the national flags flying in these districts since Independence Day were the wrong ones. This had led to some hostility in the areas. The matter was referred to Gandhi who said that there should not be the slightest hesitation in replacing the flags. Personally he was of the opinion that— as the two states were on friendly terms with one another—there was no reason why the two flags could not be displayed. 'Even if they in Pakistan don't, we in the Indian Union should. Let us do the correct thing irrespective of what the other party does.'

With every passing day, the attendance at the evening prayer meeting increased. On 21 August, at the meeting held at Park Circus, more than seven hundred thousand people were present. Flags of the Indian Union and Pakistan were flown alongside. Referring to this, Gandhi remarked that he could now proceed to Noakhali.

On 27 August, Gandhi held his prayer meeting at Kidderpur dock area; the presence of a large labouring population in this area had converted it into a potential flash point for future trouble. In his post prayer speech to the labourers, he observed that the future of labour was closely interlinked with communal harmony. Labour would become invincible when it realised its strength and learnt the art of combination. That could not happen if the workers discriminated against a Hindu employer and a Muslim one, or if the Hindu segment of labour regarded itself separate from the Muslim segment of labour, and both from the Harijan section.

The 'miracle of Calcutta' as it was being referred to, was having its effect in other parts of the country. A telephone message from Patna informed Gandhi that the Calcutta miracle was having a profound effect on Bihar too. This news delighted him. On 24 August, the Muslim League party in the Constituent Assembly of the Indian Union passed a resolution expressing, 'Its deep sense of appreciation of the services rendered by Mahatma Gandhi to the cause of restoration of peace and goodwill between the communities in Calcutta and saving hundreds of innocent lives and property from destruction. By his ceaseless efforts in the maintenance of peace he has shown breadth of vision and large-heartedness. The Muslim League sincerely trusts that Mr. Suhrawardy and other Muslims will continue to cooperate with him and show their appreciation of his laudable efforts'.

In an article titled 'Miracle or Accident?', published in *Harijan*, Gandhi wrote: 'Shaheed Suhrawardy and I are living together in Beliaghata where Muslims have been reported to be sufferers. We are living in a Muslim house and Muslim volunteers are attending to our comforts with the greatest attention. Here in the compound numberless Hindus and Muslims continue to stream in shouting the favourite slogans. One might almost say that the joy of fraternisation is leaping up from hour to hour.... Is this to be called a miracle or an accident? By whatever name it may be described, it is quite clear that the credit that is being given to me from all sides is quite undeserved; nor can it be said to be deserved by Shaheed. This sudden upheaval is not the work of one or two men. We are toys in the hands of God. He makes us dance to His tune. The utmost, therefore, that man can do is to refrain from interfering with the dance and that he should tender full obedience to his Maker's will. Thus considered, it can be said that in this miracle He has used us two as His instruments and as far as for myself I only ask whether the dream of my youth is to be realised in the evening of my life.'

People were convinced, however, that the peace in Calcutta was brought about by one man's presence. Lord Mountbatten wrote to Gandhi: 'In the Punjab we have 55,000 soldiers and large scale rioting on our hands. In Bengal our force consists of one man, and there is no rioting. As a serving officer as well as an administrator, may I be allowed to pay my tributes to the One-Man Boundary Force, not forgetting his Second in Command, Mr. Suhrawardy. You should have heard the enthusiastic applause which greeted the mention of your name in the Constituent Assembly on the 15th of

August, when all of us were thinking so much of you'. Ignoring the compliments and seizing the challenge, Gandhi replied to Mountbatten: 'I do not know if Shaheed and I can legitimately appropriate the compliments you pay us. Probably suitable conditions were ready for us to take the credit for what appears to have been a magical performance. Am I right in gathering from your letter that you would like me to try the same thing for the Punjab?'

What Mountbatten had written about the Punjab was tragically true. After its division, both sides of Punjab, the Pakistani West and the Indian East, were in a frenzy of religious hatred, and violence. In West Punjab, Hindus were systematically targeted by a campaign of intimidation, abduction, rape, forcible conversion, arson, looting and murder and were being forced to flee with whatever they could salvage and carry on their person towards Indian territory. In the Indian parts of Punjab, a similar fate befell the Muslims at the hands of Sikhs and Hindus. The deeds of either of the savage mobs precipitated an equal, or many times more, severe retaliation from the other.

On 17 August, Gandhi had received a very disturbing telegram from Lahore: 'Since Monday a terrible massacre of the Hindus has been in progress in Lahore city, surpassing Rawalpindi. Hundreds of dead are lying strewn on the roads. Anarkali Bazaar and other business quarters have been burnt down. The greater part of the city is in flames. Water supply to Hindu residential quarters has been cut off. The trapped Hindus, who tried to escape, were shot down by the military and the police. More than three hundred Hindus were burnt alive. The Hindus are without food and water. They are threatened with destruction. Do something immediately. Your presence in Lahore is necessary'. Gandhi passed the message to Patel with a comment: 'I have not replied to it. It is terrible if true. Let me know the facts'. Nehru had rushed to the riot-ravaged areas of East Punjab on receiving news of the fresh outrage. On his return to Delhi he wired a message to Gandhi on 21 August, sending him his 'respectful congratulations on the wonderful change in Calcutta' and telling him that the Punjab needed his 'healing presence'. Gandhi replied the following day: 'I have got stuck here. Noakhali demands my presence. Bihar too will take a few days. Under the circumstances I do not know when I shall be able to go to the Punjab. You will guide me', to which Nehru replied: 'I do not ask you to go to the Punjab immediately. We must face the situation now. Later I

might request you to go there'. He enclosed a report about the situation in Punjab which was most disturbing: 'The southern districts, which had been free from any major trouble, blew up unexpectedly so far as we were concerned. The districts of Hoshiyarpur and Jullunder especially have witnessed some horrible deeds and large-scale massacre of Muslims. It is quite impossible to form any estimate of people killed. I imagine however, that during the last month the number killed in Eastern Punjab might amount to 7 to 8 thousands. These figures might be completely wrong, as they are guesswork.

'In Western Punjab probably the number of those killed is much less, may be half the other figure. This, of course applies to recent weeks only and not to the previous Rawalpindi and Multan killings. There has been far more arson and looting in Western Punjab than in Eastern.... All this killing business has reached a stage of complete madness and vast populations are deserting their habitations and trekking to the west or the east. A large number had left Western Punjab in previous months, as you know. Now the process is repeated on both sides.... The present trouble started about three weeks ago in Amritsar rural areas. The Sikhs were the aggressors. Within a week Lahore retaliated, the Muslims being the aggressors. Since then it has spread on both sides, perhaps more so in Eastern Punjab where well armed bands, chiefly Sikh, partly Hindu, had been roaming about and attacking predominantly Muslim villages. Normally Muslims are safe in a village where they are in a minority. Their neighbours do not attack them. Armed bands go specially to Muslim majority villages in Eastern Punjab. Something of this kind happened in Western Punjab too.... It appears that most of the petty Government officials join in this business, including policemen. Sometimes soldiers also. The whole thing is revolting in the extreme'.

Nehru further added that he had hesitated to write to him about the situation as he did not wish to add to his worries. But now the stage had come when Gandhi needed to know. At present there is no doubt that the Muslim League leaders as well as Sikh leaders are trying to stop the slaughter and arson, having previously lighted the fuse. I have no doubt that we shall put an end to this business within the next few days, at any rate so far as the major events are concerned. But what a terrible legacy! The Punjab will be a ruined Province, both west and east, and vast numbers of human beings will be destitute'.

Gandhi was receiving updates on the Punjab situation from other sources too. A deputation of Punjabis settled in Calcutta met Gandhi on 24 August and briefed him on the gory events in Punjab. The same day Gandhi wrote to Nehru about what the delegation had told him: 'Punjabis in Calcutta have been pressing me to go to the Punjab at once. They tell me a terrible story. Thousands have been killed! A few thousand girls have been kidnapped! Hindus cannot live in the Pakistan area, nor Muslims in the other portion. Add to this the information that the two wings of the army took sides and worked havoc! Can any of this be true! ... When do you think I should go to the Punjab if at all? I have still work in Calcutta, then in Noakhali and Bihar. But everything can be laid aside to go to the Punjab if it is proved to be necessary'.

Nehru had, in the meantime, gone on his second visit to East Punjab. Immediately on his return on the morning of 25 August, he wrote to Gandhi: 'In my last letter I gave you some idea of conditions in the Punjab. Normally even after the worst riots most people stick to their homes. Now with the coming of Pakistan the urge to get out of it has added to the normal urge to escape from a dangerous zone. On both sides of the border in the Punjab people are affected this way and mass migrations are taking place on a vast scale. These are largely spontaneous. Inevitably this is resulting and will result in misery for hundreds of thousands of people. It will mean also a tremendous burden on all Governments concerned, Provincial and Central, on both sides.

'The Muslims of Amritsar districts, this is the survivors, told me that 50,000 of them had perished in the district. This is certainly wild exaggeration. But we should not be surprised if any thing up to 10,000 were killed in Eastern Punjab. There has been widespread killing on both sides and large numbers of refugees have been massacred. In Eastern Punjab probably the Akali Sikhs have indulged in killing more than anyone else. Worse than the killing have been the horrible outrages on women on both sides.... It is said and rightly that Lahore and Amritsar are quiet. The fact is that there are not many people left there to be killed. That is to say that Lahore has become almost entirely a Muslim city and Amritsar a Hindu-Sikh city.

'More and more both in the East and West Punjab, habitually lawless elements are coming to the front and they are not prepared to listen to the leaders. There are internal conflicts also in both the provinces. In Western

Punjab there is conflict between Mamdot, the Chief Minister, and Feroz Khan Noon. Noon appears to be encouraging the wilder elements in the League. In Eastern Punjab there is a good deal of stress and strain between the Sikhs and Hindus. The *Akalis,* or some of them do not hesitate to talk in terms of establishing a Sikh State as a result of this turmoil. Their logic is very good, but there is little doubt that many of them have vague hopes that something advantageous to them might happen if trouble continued. Some of these think that they can force India to go to war with Pakistan. In such a war they imagine that Pakistan is bound to be defeated and then *Sikhistan* will emerge. Master Tara Singh and Giani Kartar Singh, however, have been trying to get peace restored. Their influence does not seem to go as far as some people imagined. The wilder elements among the Akalis have joined hands with some of the RSS people'.

Nehru was unsure about Gandhi travelling to the Punjab yet. But Mountbatten had realised the significance of the 'One-Man Boundary Force' and the tactical value of the weapon of non-violence. Nehru concluded his letter by saying: 'This morning, at a meeting of the Joint Defence Council, Mountbatten urged me to request you to go to the Punjab and he hoped that you would repeat your Calcutta miracle there. I told him that I was myself not clear about this. I feel you should go but not just yet'.

In the last week of August Patel had received a distress call from Sushila Nayyar, who had been left behind as moral support at the Wah refugee camp by Gandhi. She wrote: 'I stayed there, fully convinced that it was wrong for the Hindus and Sikhs to flee from Pakistan. They had inhabited the land for generations and were entitled to live there. If Indians could fight for their rights in South Africa, were they to relinquish their homes in Pakistan?

'I placed my ideas before the refugees. Some appreciated them, some were resentful. They were not prepared to live the life of hostages, they said. They would rather be beggars in the Indian Union than big landlords in Pakistan, where even the honour of their womenfolk was not safe. I tried to impress upon them that the right thing to do for us would be to die in defence of our honour rather than be bullied out.... I visited a few villages from where the people had fled. The deputy commissioner came and assured me that the refugees should be quite safe and soon rehabilitation would become possible.

'Then the unexpected happened. Trouble again started. The East Punjab was reported to be avenging Rawalpindi and the whole of the West Punjab flared up to avenge the happenings in the East Punjab. About the 10th of August news began coming in of inhuman deeds in the East and West Punjab. Several victims of communal fury from places round about us began to pour into the camp hospital.... One of them was a young girl of about seventeen—the sole survivor of a group of seventy-four women, who had jumped into a well to save their honour. Her father Sardar Pratap Singh had come to join the camp earlier. He and his companions had offered armed resistance to the Muslim mobs who had attacked their village. For three days they held the attackers at bay. When at last their ammunition was exhausted, they had to surrender. Several of them, including their leader, were wounded, some others had died. The survivors were told that they would be immediately converted to Islam. They asked for reprieve till the next day.

'The next day the hooligans came armed with scissors and razors to cut off their victims' hair and shave their beards as a symbol of their conversion to Islam ... Some women ... were ordered to come out to be converted. An elderly sister speaking for the rest answered that they wanted leave to say their prayers for the last time before they surrendered and drink the water from the well.... The request was granted. Thereupon seventy-four women and girls entered the compound in which the well was located. They had their ceremonial bath and then began saying their prayers. Their Muslim captors impatiently shouted at them to hurry up. The leader of the women shouted back, "Come if you dare. You will never touch us alive". And with that she jumped into the well followed by the rest of the seventy-four. This act of heroic sacrifice so touched the gangsters that they stood rooted to the spot, and with bowed heads departed one after another, leaving untouched the men and the children whom they had assembled for conversion. The Sikhs then entered the compound and brought out the bodies of the women who had jumped into the well. All except Sardar Pratap Singh's daughter were dead. At night they were attacked by another Muslim mob but a military patrol came to their rescue and escorted them to the Wah camp.... The number of wounded coming to the hospital increased. A truckload of the nearly dead and dying arrived one day.... One day a report arrived of an impending attack on the camp. At night the military came and took up position at strategic points commanding the camp. I had gone to bed dead

tired. Some people came running to me. "Please get up. The attackers are coming." Wearily I replied, "Come and tell me when they are here." They stood dumbfounded for a moment and then went away. After a while some social workers working with me in the camp compound shook me up. "There is panic in the barracks." Military jeeps were on the move. There was a blaze of light from the sector where they were taking up positions. I felt worried. "Supposing an attack comes, how shall I protect these people? They had faith in Gandhiji and Gandhiji had placed them in my charge. He had said I should die before any harm befell them. It was simple enough to die but would I get that opportunity? Would I be able to stand up to the test?" A companion asked me, "How do you expect them to defend themselves non-violently? What exactly should they do?" My reply did not carry conviction to him. Non-violent self-defence cannot be learnt at a moment's notice. If I could set an example by laying down my own life non-violently, that might help.... When we reached the barracks the men who had first brought the news of the impending attack were already there. They must have told them how they had found me sleeping in spite of the alarming rumour. That had served to reassure them. We talked with them for a while and then came back. There was no attack on the camp that night. When similar rumours led to military movement on the two subsequent nights, there was much less panic'.

In the last week of August, Patel received the following report from Sushila Nayyar through a Sikh military officer, who came from the Wah camp: 'We are completely cut off. No post comes or leaves this place. People here are living in hourly fear of certain death. I am trying my best to keep up their moral. They won't allow me to leave this place.... The Camp Commander says the camp was going to be attacked three or four days ago. But the attack did not come. You should send some reliable person to report on the exact situation here.... Some Hindu refugees who have managed to reach here disguised as Muslims reported that Gujranwala, Wazirabad, Gujerat and Lalamusa are burning. Sialkot too is reported to be ablaze from yesterday. A similar report has come from Gujrakhan near Rawalpindi. It is said that the railway track on either side is strewn with the dead. The attack on village Sukhoke in Rawalpindi district was warded off by the presence of the military police the day before yesterday. Yesterday 500 Muslims again launched an attack, killing 15 Hindus.

'The situation is deteriorating. It is difficult to say when the Muslim mass may again go out of control.... It is feared that this camp will be attacked after non-Muslim troops are withdrawn. At Taxila station a passenger train, it is reported, was stopped by pulling the alarm chain in the presence of the Muslim military and police. Two Sikhs were killed and another two or three wounded. At subsequent stations the military were heard to be congratulating the murderers.... It is a question how long the refugees can continue to remain in this camp. Their condition is anything but satisfactory. The civil surgeon visited the camp the other day. He told the refugees to go to the relief organisations. "They are your own kith and kin." Another officer, a Muslim, was heard to remark, "How long are we going to have these fellows on our hands?" There is no trace of sympathy for the refugees nor any feeling of shame over what has happened'.

Patel immediately took up the issue with Liaquat Ali Khan, and asked him to ensure the safety and well being of the refugees at Wah. Khan instructed Ghaznafar Ali and the premier of West Punjab to take appropriate steps. Forwarding Sushila's report to Gandhi, Patel commented: 'I feel very concerned at your leaving Sushila behind. Today a special military man has come with a letter from her. I send it to you. The Punjab situation has become very bad.... Cities and villages are being burnt down. Men are being cut to pieces.... Reports are coming in that the military and the police are involved in it. People in their thousands are fleeing and spreading panic wherever they go. Eighty five percent of the police force are Muslims. It has become difficult to obtain accurate information as to what is happening in the Punjab. Hundreds upon thousands are fleeing. Today Jawaharlal has gone to Jullunder and Amritsar. The League Ministers will also be there. But the masses seem to have gone out of their control. Telegrams sent to the Punjab do not reach there. Railway communications have broken down. The situation is most difficult. It calls for very strenuous effort to prevent the Punjab situation from affecting other places. More and more fleeing refugees from the Punjab are pouring into Delhi. They allow no rest by day or by night. They are distraught with fury and panic and it is most difficult to make them pull themselves together'.

Patel again wrote to Gandhi on 27 August: 'Rajkumari Amrit Kaur had accompanied Lady Mountbatten on a three day tour of the Punjab. She returned today at 8 o'clock. She has brought a terrible report. She met Sushila, too. I had asked Lady Mountbatten to bring her back with her.

Accordingly Sushila had got ready. But the people in the camp began to weep and wail. She is, therefore, staying on there. This camp is not in danger. We have now made arrangements for some more supply of food, too. She is keeping quite fit. So there is nothing to worry. The rest of course is in God's hands'.

Patel had given up hope of a peaceful solution and the chance of co-existence in Punjab; he had decided that the only solution was in an exchange of populations. Naively he believed that the large number of Hindus and Muslims trapped on the wrong side of the divided Punjab would be able to just get up and leave, Hindus to East Punjab and Muslims to West Punjab. Patel questioned Gandhi: 'What will you do by going to the Punjab? You can do nothing to put down the conflagration. It is not possible for the Hindus, Sikhs and Muslims to live together; Hindus might be able to stay there some time in future, not today. But one cannot imagine Sikhs and Muslims living together even in the remote future. The forces have been thoroughly infected. People in their lakhs are fleeing from either side of the border. Terror prevails, in the camps. Those who are fleeing are set upon and done to death. There is no arrangement for their evacuation with safety'.

On the 29th Gandhi again wrote to Nehru: 'Herewith is a letter from one Sardar Ajit Singh. You will see he is insistent on my going to the Punjab without a moment's delay. You will judge what I should do. Will it be any use my going after life and property are destroyed to the saturation point? Will it not be a mockery? I put before you for consideration the thoughts welling up within me. I have three wires pressing me to go.' Nehru wired back the same day: 'I still think that time has not come for you to visit the Punjab but feel your presence in Delhi very desirable so as to keep in touch with the Punjab situation and advise us'. The next day Patel sent another report on the situation in the Punjab, but it was very clear that neither he nor Nehru were in favour of Gandhi going to the Punjab: 'Yesterday there was a meeting at Lahore. The result was satisfactory. Jinnah and other Leaguers were present. All resolutions were passed unanimously. But it will take time to put out the conflagration. From today Jawaharlal and Liaquat Ali have commenced touring the Punjab together. The tour will last for a week. Others too have commenced touring similarly. Everybody is trying hard. The rest is in God's hands'.

Gandhi was disturbed by the note of complacency in Patel's letter. His colleagues did not seem to understand the gravity of the situation. He did

not wish to embarrass his colleagues by what they might consider unwanted interference, nonetheless, he felt that he owed it to them to sound a final note of warning. On 30 August he wrote to Nehru: 'About my going to the Punjab, I won't move without you and Vallabhbhai's wish. I want to say, however, that everyday pressure is being put upon me to rush to the Punjab before it is too late. If you wish I would send you all that comes to me in that way so as to enable you to come to a true judgement.... If I am not going to the Punjab, would I be of much use in Delhi as an adviser or consultant? I fancy I am not built that way. My advice has value only when I am actually working at a particular thing. I can only disturb when I give academic advice as on food, clothing, the use of the military. The more I think, the more I sense the truth of this opinion. Left to myself, I would probably rush to the Punjab and if necessary break myself in the attempt to stop the warring elements form committing suicide. From a letter I just have from Lord Mountbatten I get the same impression. He would welcome my immediate going to the Punjab.... On this side I have work which must help you all'.

Patel redirected Gandhi's letters to Nehru who was touring both the Punjabs with Liaquat Ali Khan. What he saw there, coupled, perhaps, with Lord Mountbatten's advice, helped him decide. 31st on August he sent a wire to Gandhi: 'Punjab problem overwhelming in extent and intensity. I feel now that your presence in Punjab is desirable and would be helpful in curing insanity and bringing solace to this ruined and heart-broken Province. I am returning to Delhi on 4th. After brief stay coming back to Punjab'. On 2 September he followed this up with another wire: 'I feel sure now that you should come to Punjab as early as possible'.

It now seemed certain that Gandhi would leave immediately for the Punjab and strive to do what he had so far succeeded in doing in Calcutta. But fate decreed differently; Calcutta was on the verge of erupting.

After the Direct Action Day riots, Hindu Right-wing organisations, with the Hindu Mahasabha and the RSS in the forefront, had projected themselves as the protectors of the Hindus and many had fallen under the spell of militant Hinduism. When the post partition riots erupted, these Hindu extremists set up recruitment centres in areas which were their strongholds and amongst the refugee camps. In the post war scenario, arms and ammunition were easily available and so—just like the National Guards of the Muslim League—the storm troopers of Hindu Mahasabha and the

RSS, too, had armed themselves and formed bands of avengers. These groups, who had infiltrated Calcutta in large numbers, had attempted to start trouble at Barrackpore and Kanchrapara but failed. Now they were aided by the anger within the Punjabi and Sikh communities in Calcutta, over the massacre in Punjab. Exacerbating the situation, many Hindu and Sikh organisations as well as the head of the Hindu Mahasabha in Calcutta received a couple of bangles sent by post. By 1 September their frustration had reached its peak.

Pyarelal Nayyar describes what happened at Hydari Mansion on that fateful night: 'Charu and I had gone out to the city on business. When we returned to Hydari Mansion, it was past ten. We had expected to find everybody asleep. Instead we found the building in a blaze of light. Some youngsters at the gate tried to stop our car with "Who are you—Hindu or Muslim?"

'We came out of our car. Chucking the leader, Charu said that children were expected to be in bed at that hour. "In Noakhali our boys show more maturity. We enforce strict discipline in Gandhi Camps."

'The demonstrators had already broken their cordon in their eagerness to hear the dialogue and were clustering round us in a disorderly fashion. We brushed them aside and went in. Crowds were all over the place. Some rowdies were already inside the main hall. More were pouring in. It was only the next day that we were able to piece together the story.

'A little before 10 o'clock, a man, heavily bandaged, had been brought to Gandhiji's residence by some excited young men at the head of a procession. How they got hold of him and who had engineered the demonstration, will probably never be known. There were several conflicting versions. One was that he had fallen out of a tramcar. Another was that he was accosted by a drunken man on the street and asked to shout *"Pakistan Zindabad",* on his refusing to do so a scuffle ensued resulting in some minor injuries. Some communal fanatics, hearing of the incident, traced him to his residence and pulled him out of his bed. Another version claimed that he had been stabbed by Muslims in a Muslim locality. His assailants could not be traced. Later the Chief Minister Dr. Prafulla Ghosh, had the victim of the alleged stabbing examined. The doctor's report was that he bore no mark of stabbing. The details of injury however did not matter. What really mattered was that these young men had taken the law

into their own hands and had assumed the role of judge, jury and executioner rolled into one.

'Gandhiji had gone to bed. "This was about 10 p.m. (Calcutta time). They began to shout at the top of their voices. My sleep was disturbed but I tried to lie quiet, not knowing what was happening. I heard the window panes being smashed. I had on either side of me two brave girls, Abha and Manu. They would not wake me up from my sleep, but without my knowledge—for my eyes were closed—they went among the crowd and tried to pacify them. Thank God, the crowd did not do any harm to them".... The entreaties of the two girls apparently had no effect on the rowdies. They began to smash furniture, picture frames and chandeliers with hockey sticks and by hurling stones. There were two groups—one trying to incite, the other to pacify the rowdies. The sensible section tried their best to protect the two girls and entreated with them to go inside. One of Gandhiji's party was wearing Pyjamas. He was mistaken for a Muslim and set upon.

'To resume Gandhiji's narrative: "The old Muslim lady in the house endearingly called *Bi Amma*, mother, and a young Muslim stood near my matting, I suppose to protect me from harm. The noise continued to swell. Some had entered the central hall, and begun to knock open the many doors. I felt that I must get up and face the ugly crowd. I stood at the threshold of one of the doors. Friendly faces surrounded me and would not let me move forward".

'The hefty Dr. Dinshaw Mehta was in the house, but what could poor Dinshaw do? He did not know the language. Besides, "even the strength of a Hercules could not have availed much in such circumstances". Gandhiji addressed the rowdies: "What madness is this? Why do not you attack me? I offer myself for attack." He repeated it thrice and asked his Bengali grand-daughter-in-law, Abha, to translate his words. "All to no purpose. Their ears were closed against reason. I clasped my hands in the Hindu fashion. Nothing doing more window panes began to crack.

' "Where is the rascal Suhrawardy? shouted someone from the crowd. It seems they intended to lynch Suhrawardy. Luckily he was not in the house. He had gone home to get ready to start with me for Noakhali. Not finding him they turned their wrath on me. There was pandemonium".

'Just then two Muslim members of the household, with whom Gandhiji was staying, came rushing in, pursued by the infuriated mob. One of them was bleeding profusely. He took shelter behind Gandhiji. Seeing him

someone aimed a massive brickbat at him. It struck a Muslim standing by. A heavy stick narrowly missed Gandhiji's head and crashed against the opposite wall without hurting anybody. If it had hit Gandhiji, that would have been the end.

At last Gandhiji said in a husky voice: "My God asks me, 'Where do you stand?' I am deeply pained. Is this the reality of the peace that was established on 15th August?"

'Minutes later the police chief and his officers came in and took charge of the situation. They appealed to Gandhiji to retire. In an aside, I requested them not to use force against the rowdies knowing how it would effect Gandhiji. After a time they succeeded in getting the building cleared of the crowd.

'Gandhiji called Charu and me to him and said: "My resolve to go to Noakhali collapses after this. You will agree I cannot leave for Noakhali or for that matter for anywhere else in the circumstances. I would like you to think it over and then tell me. I do not know what God has in store for me next. But Noakhali seems to be just now out of the question."

'Hardly had this talk finished when Dr. Prafulla Ghosh, the Chief Minister, arrived. He asked Gandhiji, "Shall we arrest Hindu Mahasabha leaders?"

'Gandhiji: "No. Instead, you should put upon them the burden and responsibility of maintaining the peace. Ask them whether they want peace or fighting. Tell them you want their cooperation and wait for their reply."

'It was half past twelve when Gandhiji went to bed. But the crowd outside lingered on in the streets till long after that. Ultimately the police had to use tear gas to disperse it. By the time quiet was fully restored. It was half past one in the morning. Not till two o'clock could everyone go to sleep'.

The news of the night's happenings swept through the city like wild fire. From early in the morning a continuous stream of anxious visitors poured into Hydari Mansion. Charu Choudhuri and Pyarelal feared a very serious reaction in Noakhali if Calcutta erupted. They decided to approach the Hindu Mahasabha leaders and plead with them for their cooperation.

They met Hindu Mahasabha leader and Bharatiya Jan Sangh founder Dr. Shyama Prasad Mukherji first. They informed him that if the minority community in Noakhali, or for that matter in the whole of East Bengal, was not to be exposed to an incalculable risk, the situation in Calcutta would

have to be immediately brought under control. Dr. Mukherji listened to them with great attention. In the end he said: 'I shall certainly issue an appeal and do anything beside that you might suggest.' He asked them to return in an hour when he would be ready with his statement. The two then went to the other Hindu Mahasabha leader N.C. Chatterji's residence, but were unable to meet him. They returned to Dr. Mukherji's home, where he assured them that he would try and convince Chatterji and handed to them his statement. When Choudhuri and Pyarelal returned to Hydari Mansion, they found Gandhi writing a letter to Dr. Mukherji, asking him if it was not time that he issued an appeal to the Hindus of Calcutta. Gandhi's face lit up when Pyarelal handed him Dr. Mukherji's draft statement. With some minor changes it was released to the press the next day: 'The continuance of peaceful conditions in West Bengal and East Bengal is essential for peace in India. Calcutta is the key to the situation. If it is at peace, it must influence East Bengal. Peace in the whole of Bengal must again affect the whole of the Punjab. The majority community in Bengal must realise, the senseless oppression of innocent members of the minority community does not pay and creates a vicious circle which one cannot cut through. The unity efforts of leaders of the communities must see to this'.

At about two in the afternoon, news came in that a violent communal conflagration had broken out simultaneously in several parts of the city. Fresh reports of incidents poured in every few minutes. Gandhi wrote to Patel on the deteriorating conditions: 'Preparation for a fight are today in evidence everywhere. I have just returned after seeing the corpses of two' Muslims. I have heard that conflagration has burst out at many places. What was regarded as the "Calcutta Miracle" has turned out to be a nine days' wonder. I am pondering what my duty is in the circumstances. I am writing this almost at 6 p.m. This letter will leave with tomorrow's post. I shall, therefore, be able to add a postscript to it. There is a wire from Jawaharlal that I should proceed to the Punjab. How can I go now? I am searching deep within myself. In that silence helps'.

After a lot of deliberation and meeting with a few delegations, Gandhi knew what he was going to do. He sipped on a glass of hot water mixed with glucose, and dictated the statement announcing his decision. When Rajaji came to meet him at ten that night, Gandhi showed him the draft statement. After reading it Rajaji commented, 'You don't expect me to approve of your proposed step?' He was referring to Gandhi's decision to

launch a fast against the violence. Together they discussed the issue threadbare. Rajaji advised him to watch the situation for a while, but Gandhi had made his decision. He said, 'The fast has to be now or never. It will be too late afterwards. The minority community cannot be left in a perilous condition. My fast has to be preventive if it is to be of any good. I know I shall be able to tackle the Punjab too if I can control Calcutta. But if I falter now, the conflagration may spread, and soon I can see clearly, two or three Powers will be upon us and thus will end our short-lived dream of independence'.

It was past eleven when Rajaji left with the final statement and it was released to the press the same night. After referring to the disturbances at Hydari Mansion on the night of 31 August, it went on to state: 'What is the lesson of the incident? It is clear to me that if India is to retain her dearly won independence, all men and women must completely forget lynch law. What was attempted was an indifferent imitation of it. There is no way of keeping the peace in Calcutta or elsewhere if the elementary rule of civilised society is not observed. The recognition of the golden rule of never taking the law into one's own hands has no exceptions.

'From the very first day of peace, that is August 14th last, I have been saying that the peace might only be a temporary lull. There was no miracle. Will the foreboding prove true and will Calcutta again lapse into the law of the jungle? Let us hope not, let us pray to the Almighty that He will touch our hearts and ward off the recurrence of insanity.

'Since this was written, some of the places which were safe till yesterday, 31st August, have suddenly become unsafe. Several deaths have taken place. I saw two bodies of very poor Muslims.... I have told the friends who saw me, what their duty is. What part am I to play in order to stop it? The Sikhs and the Hindus must not forget what the East Punjab has done during these few days. Now the Muslims in the West Punjab have begun the mad career. It is said that the Sikhs and the Hindus, of Calcutta, are enraged over the Punjab happenings.... Now that the Calcutta bubble seems to have burst, with what face can I go to the Punjab? The weapon which has hitherto proved infallible for me is fasting. To put an appearance before a yelling crowd does not always work. It certainly did not last night. What my word in person cannot do, my fast may. It may touch the hearts of all warring elements in the Punjab to end only if and when sanity returns to Calcutta. I shall, as usual, permit myself to add salt and sodabicarb to the water I may

wish to drink during the fast. If the people of Calcutta wish me to proceed to the Punjab and help the people there, they have to enable me to break the fast as early as may be'.

After Rajaji left to release the statement to the press, Gandhi woke up Abha and Manu and informed them that, from 8.15 that evening he had commenced a fast which would last as long as there was communal violence raging in the city. 'This will be "do or die". Either there will be peace or I shall be dead. On you two is going to rest the responsibility of looking after me during the fast. You should eat and take rest as usual. If you do not keep yourself fit, you will not be able to do justice to your duty.'

The communal frenzy that had gripped the city did not spare Gandhian peace workers either. Gandhi had demanded the ultimate sacrifice from his workers: in their efforts to establish peace, two of them did. Sachin Mitra was a thirty-eight-year-old arts graduate from Calcutta University. He was a seasoned satyagrahi and a dedicated Khadi worker. In Noakhali he had won admiration by his fearlessness and dedication while working with Thakker Bappa in the Gandhi Peace Mission. On 1 September, on hearing of the conflagration in the city, Sachin met with some Hindu and Muslim friends and decided to intervene in the riots in an effort to stop them. They headed for the Nakhoda Mosque area which was reported to be one of the most dangerous spots in the city. At the crossing of Chitpur Road and Canning Street, the group was surrounded and accosted by a hostile Muslim mob. The Hindus were segregated and beaten up. Sachin was repeatedly stabbed in the chest and abdomen. The police finally managed to rescue them, but Sachin's condition was serious and he succumbed to his injuries even before he could be taken to a hospital.

Smritish Bannerjee, also in his late thirties, was a dedicated peace worker. On hearing that a peace procession was under attack, he rushed to their rescue. What transpired is not known but when the procession came under attack, eyewitnesses later reported that they saw Smritish escorting a group of girls to safety. They claimed that his shirt was drenched in blood. Later when his body was identified in the morgue, the cause of death was stated to be 'Loss of blood due to five deep stab wounds on the chest and abdomen'. Gandhi refused to mourn their deaths. In a message to Angshu Rani Mitra, Sachin's young wife, he wrote in Hindi: 'Pyarelalji has just given me the news that your husband who was mortally stabbed in the course of protecting others has succumbed to his wounds today. Do not let

this be an occasion for sorrow but only for joy. Sachin has become immortal. You must not grieve but lose yourself in service in emulation of him'.

Gandhi informed Patel on 2 September: 'Since writing to you yesterday, a lot more news has come. A number of people have come and seen me. I was already pondering within me as to what my duty was. The news that I received clinched the issue for me. I decided to undertake a fast. It commenced at 8.15 last evening. Rajaji came last night. I patiently listened to all he had to say. He exhausted all the resources of his logic. But none of his arguments went down with me. Let no-one be perturbed. Perturbation won't help. If the leaders are sincere, the killing will stop and the fast end, and if the killing continues what use is my life? If I cannot prevent people from running amok, what else is left for me to do? If God wants to take work from this body he will enter into people's hearts, bring them round to sanity and sustain my body. In his name alone was my fast undertaken. May God sustain and protect you all. In this conflagration others will not be able to help much'. To Nehru he wrote: 'I would have started for Lahore today but for the flare up in Calcutta. If the fury did not abate, my going to the Punjab would be of no avail. I would have no self-confidence. If the Calcutta friendship was wrong, how could I hope to affect the situation in the Punjab? Therefore my departure from Calcutta depends solely upon the result of the Calcutta fast. Don't be distressed or angry over the fast'.

The morning of 2 September dawned over a burning Calcutta. Although peace brigades had started patrolling the streets of the city, violence, arson, looting and murder continued unabated. A medical check up by the naturopath Dr. Dinshaw Mehta showed that Gandhi's heartbeat was erratic. The doctor advised him to drink a minimum of four lbs. of water daily. 'I shall try,' Gandhi replied. 'But if Ram's name is in my heart, I should not need even the help of water. You see how peaceful I am today. Before this I could hardly sleep even at night.'

Gandhi followed his well laid down routine and slowly sipped eight ounces of plain hot water, which took him an hour. This time, he started weakening at a much faster rate. By afternoon he displayed symptoms of growing weakness, his voice sank to a barely audible whisper. At half past one, after resting for about an hour, he again drank eight ounces of hot water. At noon a co-worker brought news that there was large-scale looting and gunfire in Zacharia Street. Armed police had entered a mosque and

were harassing Muslims who had taken refuge there. The distant sounds of firing could be heard through the afternoon.

Professor Nirmal Bose, who had served as Gandhi's interpreter in Noakhali, had been to meet nationalist leader Sarat Bose. The report he brought back claimed that the disturbances were largely the work of Sikhs and Biharis, and the Bengalis had now joined in the large scale looting and arson. A hotel owned by a Muslim had been set on fire near the Sealdah Railway Station. At places there were reports of the police slackening in their duties. According to Sarat Bose, the violence was not the work of ordinary hooligans. It seemed be strategically planned and executed with the guidance and support of organisations like the RSS and the Hindu Mahasabha. The chief minister, Dr. Prafulla Ghosh, blamed the disturbances on the Sikhs. He suggested that an all-party meeting should be called immediately to formulate measures required to curb the present disturbances and normalise the situation as fast as possible. Meanwhile, he was getting Gandhi's statement printed in Hindi, Urdu and Bengali; these would then be distributed widely in the city and its surroundings.

Sometime later, Sarat Bose came to see Gandhi. Ever since Gandhi had withdrawn his support for Bose's proposal for a united sovereign Bengal, the latter had nursed a grievance against him. This was their first meeting since Gandhi had come to Calcutta. Laughingly Gandhi said that it took a fast on his part for Bose to visit him.

Bose replied saying, 'I had a feeling that you no more cared for me. But I will not tax your strength. Are you permitted to talk?'

Gandhi said, 'I have to, at least in the pursuance of the object for which I am fasting.'

Bose said, 'I have always been opposed to Partition. I have never made any secret of my views. I am a frank man. I did not come before because, as I have already said, I had a feeling that you had not much use for me.'

Gandhi went on to say, 'Representatives of all groups and parties have come and asked me why I did not send for you. Some of them said, they had a suspicion that the Forward Bloc [founded by Sarat Bose's younger brother Netaji Subhash Chandra Bose] people were behind the disturbances. I told them that Sarat Bose knows that my door is always open to him. He will come whenever he thinks fit.' Gandhi's remark hurt Bose; he said, 'In your prayer address you said I was spending money like water, in corrupt practices.'

To that Gandhi said, 'Was it not then your clear duty to come to me and clear my doubts—if they were ill founded? It is the privilege of friendship to speak out one's mind unreservedly without the fear of being misunderstood. Otherwise what is friendship worth? Even your Suhrawardy [also well known for spendthrift habits] has said you spend money like water. But if you had a grievance on that score, why did you not contradict it publicly? Or you could have written to me. I would have then either explained to you what I meant, or you would have removed the misconception under which I was labouring. I would have then withdrawn my remarks. That was what true friendship demanded.' Bose then told him to let bygones be bygones and asked Gandhi what were his complaints against the Forward Bloc.

Gandhi said, 'The Hindu Mahasabha people say Forward Bloc people are behind this holocaust. I owe it to you to place their allegation before you.'

Sarat Bose replied, 'You may believe it if you like. But I tell you, a number of Hindu Mahasabha people are behind this business. It is they who are inciting the Sikhs by telling them that it is unmanly on their part to passively look on while the Punjab is burning. The Sikhs were asked to wear bangles in place of their kada. I could even mention names.'

Gandhi told Bose that mutual recrimination would lead them nowhere. He added that his fast was an appeal to people to make them introspect, and it was time they realised that they could not carry on much longer with the help of the police and the military.

Referring to Gandhi's remark about the police and the military, which was endorsed by Suhrawardy, Bose said, 'The deterioration in Bengal set in with the introduction by Suhrawardy of armed forces from the Punjab. Does he now want the British?' Gandhi ignored the jibe against Suhrawardy. He explained, 'No, he did not say the British. He only said mixed. But there I have a bone to pick with him too. If the hearts of our volunteers could be cleansed, peace would immediately return. For that, cleansing of the hearts on the part of the leaders is necessary. Then alone will they be able to give the masses a clear lead. This is today lacking. You should first declare what you stand for and then back it by appropriate personal example. If in the course of it some top ranking leaders are killed. I will not grieve.... Peace processions by themselves will be an empty show if the basic honesty of intention on the part of the leaders and the rank-and-file workers is not there. If such a volunteer organisation wedded to nonviolence and ready to

make the supreme sacrifice for the achievement of unity and peace begins functioning, I will not mind if the entire police force in the city is withdrawn. And if in the result the whole Calcutta swims in blood, it will not dismay me. For it will be willing offering of innocent blood. I know how to tackle such a situation.... I shall be content if I get honest and whole-hearted cooperation of you all in this work. We shall then be able to control the situation in the Punjab too.'

Gandhi went on to say, 'I had the authorities withdraw the armed police guard that was posted at my residence. Unfortunately, it has again come back. I have suffered it to remain not for mine but Suhrawardy's sake. He feels nervous. If on the night of the 31 st August, he had not luckily gone out to get ready for the journey to Noakhali, who knows what would have happened to him, and consequently to me? I have often asked why there should be any further trouble now that the League and Jinnah have got what they wanted. If only Jinnah had accepted my offer embodied in the Rajaji formula, all this could have been avoided. I was prepared to go even further. If after the British had quitted, the collective wisdom and statesmanship of India were still unable to achieve a peaceful solution, I would have invited the Muslim League to take charge of the Government. The Congress Ministers would have made way for them if I had asked them to. Pandit Nehru and Sardar Patel had told me that they would carry out my orders if I took over command.'

As Gandhi finished speaking, Dr. Prafulla Ghosh accompanied by some of his ministers walked in. 'You have been very unfair to the Ministry in undertaking the fast without taking them into your confidence,' Ghosh complained.

Gandhi replied, 'Perhaps you are right. But the conflagration was spreading so fast that every moment counted. Any avoidable delay would have meant further loss of innocent lives.' It had been an hour since Gandhi had been speaking and he was now showing signs of fatigue. Noticing this, Ghosh said, 'I do not wish to prolong the argument,' to which Gandhi replied, 'That is just like you. I had expected nothing less of you.' Not one to give up, Ghosh said, 'One thing, however, strikes me. You have launched your fast at a time when a section of the Hindus have begun to look upon you as their enemy. They foolishly feel that by asking them to practice non-violence, when the other side has shed all scruples, you are being very

unfair to them. I would have had nothing to say if you had declared a fast for anything wrong that the Ministry did.'

Gandhi said, 'All this is way off the mark. Don't you see, this now gives me the right to fast against the Muslims, too. My fast is intended to serve both the communities. The moment the Hindus realise that they cannot keep me alive on any other terms, peace will return to Calcutta.'

Dr. Ghosh said, 'Your fast weighs down on us more than anything else. How can we effectively set to work under the heavy weight of your fast?' However, Gandhi told him that this was the wrong way of looking at things. He said his fast was intended to strengthen the hands of the people. At this point Suhrawardy intervened saying that the representatives of both the Hindus and Muslims should be called for a joint meeting. It was decided that the meeting would be held at the chief minister's residence. After this, Ghosh briefed Gandhi about the strict warning his government had issued to the press: any paper indulging in inflammatory propaganda, would be summarily suspended.

On 3 September, the second day of Gandhi's fast, Dr. Mehta came to check on him. Even during such trying times, besides his regular routine, Gandhi worked at his daily Bengali lesson. Gandhi told him that he had had a very peaceful night and added, 'I am not at all anxious to terminate my fast. At this rate though the body mightbecome weaker, I feel I could go on even for one month.'

It was reported that looting had continued in the city till past midnight, but had then subsided and since then all was quiet. Slowly the efforts of the peace workers and the political leaders, spurred on by Gandhi's fast, began to make a difference. Students from Calcutta University formed peace committees and peace processions started thronging Hydari Mansion, but its occupant was steadfast that he would break his fast only when he was convinced that a unity of the hearts had been established.

The same evening, at half past six, a procession comprising both Hindus and Muslims came to Hydari Mansion. Two members from each community were allowed into the room where Gandhi lay. One of the Muslims, an eminent member of the Bengal Muslim League, pleaded with Gandhi to break his fast saying, 'I worked with you during the Khilafat movement. I undertake that no Muslim in this area will again disturb the peace. Your mere presence in our midst is an asset to us. It is the guarantee of our safety. Do not deprive us of it.' The two Hindu members also gave

Gandhi the same assurance. Gandhi replied, 'My word seems to have lost its power so far as they are concerned. My fast will now be broken only when the conflagration ends and the glorious peace of the last fifteen days returns. If the Muslims really love me and regard me as an asset, they can demonstrate their faith in me by refusing to give way to the instinct of revenge and retaliation even if the whole of Calcutta goes mad. In the meantime, my ordeal must continue.'

That evening, at a quarter past seven, Rajaji brought news that, compared to the previous day, the city was markedly peaceful and volunteers as well as the police were providing effective protection to members of both communities.

Thursday, 4 September, the third day of the fast, dawned with a fest deterioration in Gandhi's physical condition. His voice was barely audible, just a little louder than a faint whisper. His pulse was rapid and erratic, and he felt giddy when he tried to stand up. That morning Gandhi had a surprise guest. Police Superintendent Abdullah of Noakhali turned up at Hydari Mansion. On seeing him Gandhi seemed a bit cheerful and said, 'What a curious coincidence! I was thinking of you, and wondering how we could meet and here you are!' This was Gandhi's last meeting with Abdullah, who returned to serve East Pakistan soon after. After Gandhi's murder, a memorial fund was established and the first contribution of Rs. 1,000 came from Abdullah.

After chatting with him for a short while, Gandhi began editing the next issue of *Harijan,* which he continued to do throughout his fast.

Then, as it had always happened, the tide began to turn. As the fast began taking a toll on the frail old man, it caused a deep impact amongst the people. At midday, a party of twenty-seven people, all residents of central Calcutta, came to meet him. They were members of what had come to be known as 'resistance groups'—groups of Hindus seeking revenge for the massacres during the Muslim League-sponsored Direct Action Day. They begged for Gandhi's forgiveness and pleaded with him to give up his fast. Gandhi paid no attention to their request or those from the several others who came to Hyadri Mansion.

At half past five Gandhi received a note from Rajaji, which mentioned that tension had subsided in the city. Gandhi then rested for a while; he woke up to find Suhrawardy, N.C. Chatterji and Sardar Niranjan Singh Talib waiting to meet him. They informed Gandhi that, having visited

localities that had been ravaged by riots, they had found the areas returning to normalcy. They ended with a request to Gandhi to break his fast. He said, 'Before I can accede to your request, I want to ask you two questions: First, can you in all sincerity assure me that there never will be repetition of trouble in Calcutta? Can you say that there is a genuine change of heart among the citizens so that they will no longer tolerate, much less foster communal frenzy? If you cannot give that guarantee, you should rather let me continue this fast. It won't hurt me. When a man fasts like this, it is not the gallons of water he drinks that sustains him but God; and second, if trouble breaks out—since you are not omnipotent or even omniscient—would you give me your word of honour that you would not live to report failure but lay down your life in the attempt to protect those whose safety you are pledging? You should remember, too, that if you break your pledge after giving it to me, you will have to face an unconditional fast unto death on my part.... If you deceive me ... my death will be upon your head. I want a clear and straight answer. Your assurance must be in writing.'

It was quite clear to all those present in the room that Gandhi meant every word of what he was saying. Rajaji and Acharya Kripalani, who had arrived during the latter part of the discussion, proposed that they should leave Gandhi alone for a little while to confer among themselves. Just as the delegation was moving out of the room, a joint declaration signed by some forty representatives of Hindu and Muslim residents of Narkeldanga, Sitalatala, Maniktola and Kankurgachi areas was brought in. They pledged that no untoward incident would hereafter occur in their localities.

The strain of speaking had drained the last of Gandhi's energy. The leaders went to the adjoining room and hammered out the draft of the peace pledge. The discussion was brief. Rajaji dictated the draft of the pledge which was signed first by N.C. Chatterji and D.N. Mukherjee of the Hindu Mahasabha, followed by Shaheed Suhrawardy as the leader of the Muslim League Parliamentary Party of West Bengal, R.K. Jaidka, the Punjabi leader and Niranjan Singh Talib, the Sikh leader. Immediately after its signing the leaders returned to Gandhi's room where it was read out to Gandhi: 'We the undersigned promise to Gandhiji that now that peace and quiet have been restored in Calcutta once again, we shall never allow communal strife in the city and shall strive unto death to prevent it.'

'But, Sir, is it any good my signing this document?' remarked Suhrawardy to Gandhi. 'I may anytime be called to Pakistan and then what

happens to my pledge?'

'You must in that event have confidence that those whom you leave behind will deliver the goods,' replied Gandhi. 'Moreover, you can come back.'

Before breaking his fast, Gandhi said a few words to the gathering in Hindustani, 'I am breaking this fast so that I might be able to do something for the Punjab. I have accepted your assurance at its face value. I hope and pray I shall never have to regret it. I would certainly like to serve India and humanity, but I do not wish to be duped into prolonging my life. I hope I will not have again to fast for the peace of Calcutta. Let me therefore warn you that you dare not relax your vigilance. Calcutta today holds the key to the peace of the whole of India. If something happens here, its repercussion is bound to be felt elsewhere. You should therefore, solemnly resolve that even if the whole world went up in a blaze, Calcutta would remain untouched by the flames. You have just heard the song "Ishwar and Allah are Thy name". May he be witness between you and me.'

At 9.15 pm on 4 September, seventy-three hours after it had commenced, Gandhi broke his fast by slowly sipping a glass of diluted orange juice given to him by Suhrawardy. Before the relieved leaders could disperse, Gandhi called Rajaji by his side and whispered to him, 'I am thinking of leaving for the Punjab tomorrow.' Rajaji was in a fix. Once Gandhi made up his mind it was difficult to deter him, but he was in no condition to travel. Suhrawardy sprang to the rescue by saying, 'Sir, you cannot leave Calcutta without giving the citizens of Calcutta an opportunity to join you in a public prayer and thanksgiving. If we tried tomorrow, it would be simply impossible to control the delirious crowd. At the earliest it can be the day after tomorrow.'

Gandhi held his first public prayer meeting after the fast on 6 September. He reiterated his appeal for peace under all circumstances. He announced his plans for leaving for the Punjab the next evening. Suhrawardy seconded Gandhi's appeal and announced that he would be accompanying Gandhi in his peace mission to the Punjab. He had put himself unreservedly under 'Mahatmaji's' orders. Thereafter he would carry out his bidding.

On 7 September Gandhi boarded the train for Delhi at Belur— a wayside station near Calcutta. He had decided to disembark in Delhi and spend a day there to consult with Nehru and Patel and then leave for the Punjab.

The train rushed towards the national capital, bearing the apostle of peace to what was now being referred to as the 'city of the dead'.

11

CITY OF THE DEAD

'The wretches have created chaos in the whole city. What can we say to Pakistan now?'

JAWAHARLAL NEHRU**,** lamenting the situation in Delhi

Gandhi arrived in Delhi on the morning of 9 September; he was fated never to leave. A grim Patel received him at the railway station. Gandhi noticed that the usual crowd of ministers and Congress leaders was conspicuous by their absence. His arrival had been kept a secret from almost every one.

In the car, rushing through the deserted streets of the capital, Patel told him that communal riots had erupted in the capital since 4 September. There was one more surprise awaiting Gandhi: he was not taken to Harijan Colony, his usual residence in Delhi, but instead to the residence of Seth Ghanshyamdas Birla. Patel explained that the colony had been occupied by refugees from West Punjab, and they would have to be displaced if he insisted on staying there.

As Gandhi alighted from the car at Birla House, Nehru drove up. His face was furrowed by worry and the lack of sleep. He briefed Gandhi about the situation in the capital: a twenty-four hour curfew had been clamped on the city; the military had been deployed in the most ravaged areas, but arson, looting and murder still continued unabated and the streets were littered with the corpses of the victims. Nehru was indignant. 'The wretches have created chaos in the whole city. What can we say to Pakistan now?'

'What is the use of being angry?' Gandhi asked.

Nehru replied, 'I am angry with myself. We go about with armed guards under elaborate security measures. It is a disgrace. Ration shops have been looted. Fruits, vegetables and provisions are difficult to obtain. What must be the plight of the ordinary citizens? Dr. Joshi, the famous surgeon who knew no distinction between Hindu and Muslim but served both alike, was fired upon from a Muslim house while he was rushing to treat an ailing Muslim patient and killed.'

There was no respite for Gandhi. A conference with leaders followed, and he was apprised about the situation in and around the capital. The atmosphere in Delhi had grown increasingly tense as hordes of refugees poured in from West Punjab. Fanatics had taken control on both sides of the border in the Punjab; minorities on either side were being attacked; the administration and its various arms had abdicated and could only stand by as the situation deteriorated into anarchy. The very structure of civilised society was under threat. The refugees coming in to Delhi brought with them tales of gruesome savagery: the large scale butchering of Hindus; the looting of their wealth and possessions; whole villages and communities wiped out; women raped, abducted, distributed as 'booty', sometimes sold to the highest bidder; children flung into infernos and speared to death in cold blood; attacks on fleeing refugee convoys and trains. There were also large scale mass conversions in West Punjab: Hindus and Sikhs were given two options—Islam or death. Many times the stories were vastly exaggerated and sensationalised to provoke people to seek revenge. Successfully so: Delhi erupted in a savagery reminiscent of the massacres the capital had last witnessed during the invasion of the Afghan invader Nadir Shah.

In India and Pakistan, the ministers blamed the British officers commanding the Boundary Force, of inaction and complicity. The British officers, in turn, complained that the troops at their command refused to fire on, or take action against, their co-religionists—even if the latter were indulging in murder, arson and rape. On 29 August the Joint Defence Council decided to abolish the Punjab Boundary Force from 31 August midnight, as it was found to be useless for the purpose for which it was created. Responsibility for maintaining peace now rested on the respective governments. Mountbatten, his last executive responsibility having lapsed, left for Simla for ten days of rest. His rest and recreation was cut short when he was peremptorily called back by an urgent summons from Delhi. He arrived back in the capital on the afternoon of 5 September. The same day the government decided to set up an Emergency Committee of the Cabinet, with Mountbatten as its chairman, to deal with the situation. A notification was issued by the Government of India declaring the Delhi province a dangerously disturbed area. Orders were issued to the police and the armed forces to shoot to kill when they shot at lawbreakers. The notification permitted the infliction of the death penalty for offences like attempt to murder, kidnapping, abduction, apson, dacoity and looting.

Pyarelal writes: After the fury of the first slaughter had been brought under control in the East Punjab, a most dangerous problem arose in the capital itself, where at one stage every fourth person was a refugee. The administration was faced with a most difficult situation. In the tornado of primitive passions that had broken loose individual wills seemed to count for nothing. Millions had been uprooted and thrown into an atomic turmoil, like forest leaves caught in a tropical hurricane. The biggest migration of population in recorded history was in progress. Almost ten million people were on the move in both directions across the border in the Punjab. The Government had not anticipated an outbreak of such dimensions. The civil authority, in both the Punjabs, was paralysed'.

The Government of India had established a military evacuation organisation, which took over the evacuation of the refugees from the civil authorities in the first week of September. All modes of transport were utilised for the purpose—trains, motor cars and aeroplanes. Between 27 August and 6 November, it was later computed, 673 trains were run carrying over 2,799,000 inside India and across the border. Over 427,000 non-Muslims and over 217,000 Muslims were moved during the same period by motor transport using 1,200 military and civil vehicles. Nearly 27,000 evacuees were brought to India by government chartered planes on 962 flights between 15 September and 7 December. But these measures catered to a very small number of the displaced people. The most effective method of moving such a vast number of people was by route marches. Long caravans of refugees on foot going east and west criss-crossed the fertile planes of the Punjab.

To provide even the barest minimum of basic necessities to these uprooted millions was a mammoth task. There was always the risk of epidemics breaking out, due to the poor sanitation facilities and paucity of medical staff and supplies. The risk of violent clashes erupting as refugee caravans moved in opposite directions was always present. Clashes between incoming refugees—who had arrived with deep resentment due to the grief and the privations they had suffered—and members of the minority communities who had stayed back on both sides created what seemed to be an insurmountable situation for the civil and administrative services. During the meeting of the Emergency Committee, Mountbatten had uttered prophetic words, 'If we go down in Delhi we are finished', which summed up the gravity of the crises with which the government was faced.

The harried government and the Congress leaders had only one hope—Gandhi. Would he be able to perform the miracle he had performed in Calcutta? They now all looked to him for guidance. At last he spoke to the assembled leaders. He declared that Delhi was not Calcutta. 'I find no one in Delhi who can accompany me and control the Muslims. There is no such person amongst the Sikhs or among the RSS either. I do not know what I shall be able to do here. But one thing is clear. I cannot leave this place until Delhi is peaceful again.' The assembled leaders heaved a sigh of relief. He had rescued them before, and they were certain he could be relied upon.

In a statement released to the press that afternoon, Gandhi stated: '"Man proposes, God disposes" has come true often enough in my life, as it probably has in the case of many others. When I left Calcutta on Sunday last, I knew nothing about the sad state of things in Delhi. But since my arrival in the capital city, I have been listening the whole day long to the tale of woe that is Delhi today. I have seen several Muslim friends who have recited to me their pathetic story. I have heard enough to warn me that I must not leave Delhi for the Punjab until it has once again become its former peaceful self.

'I must do my little bit to calm the heated atmosphere. I must apply the old formula, "do or die" to the capital of India. I am glad to say that the residents of Delhi do not want the senseless destruction that is going on. I am prepared to understand the anger of the refugees, whom fate has driven from West Punjab. But anger is short madness.... Retaliation is no remedy. It makes the original disease worse. I therefore, ask all those who are engaged in committing senseless murder arson and loot, to stay their hands.'

At noon news came in that refugees were about to attack the tuberculosis hospital opposite the Kingsway refugee camp where a large number of Muslim patients were being treated. Dr. Sushila Nayyar, who had finally been evacuated from the Wah refugee camp along with the refugees, had reached Delhi a few days back. Gandhi asked her to rush to the hospital with the instructions: 'On your way stop at the Secretariat and inform the Sardar and Jawaharlal where I am sending you'.

At the Secretariat, Sushila could not find Patel but she saw Nehru, who asked her to accompany him in his car. At Town Hall he asked the deputy commissioner to rush a guard to the hospital; however, the deputy commissioner expressed his inability to do so as all the guards were out on duty. Nehru turned to him and said, 'All right then, I shall send Sushila to

guard them.' And with these words he sent Sushila away in his car. On her way to the hospital, she saw a mosque in flames. She stopped to see if anyone was injured or trapped in the fire. 'The flames prevented us exploring all the rooms. As I stood there, a shower of bullets came from the building opposite.' It was a stronghold of the RSS. The bullets were aimed at any Muslim who tried to escape the flames and to deter anyone attempting rescue.

On reaching the hospital she found that the patients had been evacuated with the help of Lady Mountbatten who had taken them to Jama Masjid. The hospital was being looted by refugees from the Kingsway camp. Sushila chased some of the refugees who were carrying away cots, beddings and other hospital materials. She found a policeman standing by the door of the hospital watching the goingson. 'What are you doing here? Don't you see they are looting hospital property? Can't you stop it?' she shouted at the policeman. He shrugged and replied, 'Bigger men than I cannot stop this. What can I do?'

Just then Nehru reached the hospital. When Sushila told him about the looting, he became extremely angry. Jumping into his car he headed straight for the Kingsway refugee camp. Just as he reached the camp, a group of refugees loaded with loot were entering. He confronted them, 'I thought we were helping our suffering brethren. I did not know we were sheltering thieves and dacoits.' The crowd was incensed, and someone asked him angrily if he knew what they had suffered. Nehru could not contain his anger any more and caught the man by the scruff of his neck. Sushila became anxious, fearing that the crowd could get out of hand. The young man then muttered, 'Yes, Panditji, go on. What better luck can I expect than to die at your hands?' At this Nehru's anger seemed to melt away. He said, 'This is not the time for me to tell you how much I feel for you all and how my heart aches at your suffering. But what I say to you is: have these Muslims done you any harm? If not, then you must not injure them. We must be just. If justice requires it and it is necessary, we can go to war with Pakistan and you can enlist. But this kind of thing is degrading and cowardly.'

When Sushila later narrated the incident to Patel, he was upset: 'Is this the way an administrator should act? His safety is my charge. He should not take unnecessary risks like this.'

From the next morning, less than a week after courting death with his fast in Calcutta, Gandhi set up a daily routine. He would visit the various Hindu and Muslim refugee camps and riot-affected areas of the city. He began with the Arab-ki-Sarai camp, near Humayun's tomb, where Meos from Alwar and Bharatpur states were awaiting their removal to Pakistan. The refugees told Gandhi that none of them wanted to leave India but had been driven out of their homes and were being forced to go to Pakistan. Gandhi promised to see what he could do for them. From Arab-ki-Sarai he went to Jamia Millia Islamia, the Muslim National University, at Okhla. A number of Muslim men and women from the neighbouring villages had taken refuge there. Pale, haggard and terrified, they had been living in constant fear of death for the last two days.

When Gandhi met the vice-chancellor of the university, Dr. Zakir Hussain, the latter said he was hopeful of the situation improving. Just a few days back he had narrowly escaped a lynching at Jullundar station, where, while returning from Punjab, he had been surrounded by a hostile mob of Hindus and Sikhs. He was saved by the timely intervention of a Sikh captain and a Hindu friend who recognised and protected him at risk of grave personal danger. He reported the grim situation in Punjab and said he was sad but not bitter, adding that he was satisfied with the efforts of the government to try and bring the situation under control. He also said that Gandhi's arrival in the capital had galvanised the administration.

At his next stop, the Devan Hall Hindu refugee camp, Gandhi was confronted by an angry crowd. The camp was overflowing with refugees from West Punjab, both Hindus and Sikhs, persecuted, hounded and driven out of their homes. Some of them accused Gandhi of hard-heartedness, of having more sympathy for the Muslims than for them. He was deeply grieved by these accusations but he said they had a right to be angry as they were the real sufferers. He then went to the Wavell Canteen transit camp near the railway station, which was teeming with Muslim refugees waiting to be evacuated to Pakistan. The last stop on his day's itinerary, which had covered a distance of forty-one miles, was the Kingsway refugee camp. Things there had considerably settled down since Nehru's visit the previous day.

That evening, addressing the evening prayer meeting audience, Gandhi remarked that he was anxious to go to Pakistan and test for himself the reality of Jinnah's professions. The Hindus of Pakistan were their brothers,

Jinnah had declared. Were these only empty words? But he could not go there owing to the disturbances in Delhi. Each dominion must bear full responsibility for the acts of those who lived in it. He declared that the same held true for the Indian Union. Were the Union ministers to declare their bankruptcy and shamelessly own to the world that the people of Delhi or the refugees would not voluntarily obey the rule of the land? It was in the hands of the people to send him to the Punjab by restoring normal conditions in Delhi. Why should there be curfew in Delhi? Why should Delhi be called 'the city of the dead'?

An anti-Muslim paranoia had gripped the capital. The bulk of Delhi's police force had been Muslim but a number of them had deserted with uniforms and arms. With this, the integrity and loyalty of those remaining had immediately come under suspicion. Patel wired Bengal to send units of Gurkha policemen from West Bengal. The chief minister of Central provinces sent a contingent of 250 constables and sub-inspectors of police. There were rumours of a *coup d'etat* being planned by the Muslims to seize the administration. Searches of some Muslim homes by the police had revealed dumps of bombs, arms and ammunition. The Muslims claimed that arms had been planted in deserted Muslim homes to discredit the community and fan anger amongst the Hindus. In fact, similar caches of weapons had been found all over the country in Hindu homes and offices of the Hindu extremist organisations too. But in Delhi and Punjab, in some of the pitched battles fought between the Muslims and Hindus and in some of the attacks on Hindus by the Muslims, these very weapons had been used. Hindu communalists had instigated people with a systematic propaganda that exaggerated the amount of illegal arms, explosives and ammunition that were found with Muslims. The Muslims were to be blamed as well; many of them had been storing illegal weapons. Even when the British prohibited Indians from possessing arms after the first battle for freedom in 1857, the Muslims had stored illegal arms. Gandhi had been pleading with the Muslims to surrender their arms, but his advice was ignored, and the Hindu fanatics had fuel to add to the fire.

The Sikhs, on the other hand, were annoyed over the government's decision to prohibit, for reasons of security, the carrying of kirpans which were more than nine inches long. Their representatives met Gandhi and complained that any such restriction was an interference with their religion. 'But I do not see religion anywhere in evidence today,' replied Gandhi. 'And

if it is a religious symbol, the restriction as regards its size should not matter.' The Sikhs were not satisfied and cited, in support of their argument, an old judgement of the Privy Council, which interpreted the kirpan as a sword of any size. Gandhi told them that it was wholly irrelevant and even improper to cite legal precedents to break up healthy restraints under which alone society could grow in a state of liberty. The kirpan, which the Sikh religion enjoined upon its votaries to carry was a symbol of purity and self-restraint. It was a weapon for the defence of innocent women, children and old and disabled persons against tyranny in the face of overwhelming odds; never a weapon of offence or to be used in retaliation against defenceless women and children. The kirpan had, of late, been used for totally indefensible purposes and he who used it wrongly forfeited the right to carry it.

On 12 September, a Friday, Gandhi visited the Jama Masjid where nearly five thousand Muslims had taken refuge. Unmindful of the filth, Gandhi took off his slippers before entering. Thousands had gathered to offer the Friday namaaz. Gandhi met some of the refugees and reprimanded them for being so unconcerned about cleanliness.

The same day the chief of the RSS came to meet Gandhi. It was common knowledge that it was the RSS that was behind the killings in the capital, in East Punjab and in those parts of the country where vicious anti-Muslim campaigns were being carried out. The RSS head flatly denied these allegations, saying that the organisation was set up to protect Hinduism, not to kill Muslims; they were not hostile to anyone, he said—the RSS stood for peace. This was a far-fetched claim, difficult to believe. But Gandhi, with the boundless faith that he had displayed when trusting claims of repentance from Muslim fanatics in Noakhali, felt that they should be given a chance to clear the air. The chief was asked to issue a public statement repudiating the allegations against them and openly condemning the killing and harassment of the Muslims that had taken place and that still was going on in the city. Not wanting to be pinned down to giving a statement, the chief suggested that Gandhi should do it and absolve the RSS of all the alleged wrongdoings. Gandhi agreed to this suggestion. Sushila Nayyar added that the RSS had done some good work at the Wah camp. They had shown discipline, courage and capacity for hard work, she said.

While welcoming Gandhi to their rally, the RSS leader described him as 'a great man that Hinduism had produced'. Gandhi admitted that while he was certainly proud of being a Hindu, his Hinduism was neither intolerant nor exclusive. The beauty of Hinduism, as he understood it, was that it absorbed the best that was in all faiths. If Hindus believed that in India there was no place for non-Hindus on equal and honourable terms, and that Muslims, if they wanted to live in India, must be content with an inferior status, or if Muslims thought that in Pakistan Hindus could live only as a subject race on the sufferance of the Muslims, it would mean an eclipse of both Hinduism and Islam. He was glad, therefore, he said, to have their assurance that their policy was not of antagonism towards Islam. He warned them that if the charges against them were proved, it would come to a bad end.

Purana Qila, the venue of the Asian Conference, had been converted into a transit camp for Muslim refugees. Almost seventy-five thousand Muslims awaited their removal to Pakistan. As the Hindu refugee camps had become infiltrated with Hindu fanatics, the Muslim camps too were infiltrated by Muslim Leaguers. They had established themselves as benefactors of their troubled co-religionists, while pilfering rations meant for the refugees, and selling them off on the black market for huge profits.

Some of the Muslim policemen who had deserted with their weapons had taken refuge in these camps. Patel, at one time, almost ordered a battalion of the army to go into the camp to round up the unlicensed arms. On the 13th, when Gandhi visited the camp, hundreds of refugees rushed towards his car and surrounded it. Anti-Gandhi slogans were shouted and someone tried to pull Gandhi out of the car. The driver, panicking, pressed down on the accelerator and the car shot forward. Gandhi ordered him to stop, however, as he was determined to face the angry crowd. Gandhi then stepped out of the car and requested the crowd to settle down. Most of them were bewildered by this act of fearlessness by the unarmed and unprotected old man. Was he challenging them or did he trust them not to do him any harm? Some of Gandhi's comments elicited rude and angry rejoinders from the refugees. He entreated them to be calm and shed their anger and fear. On hearing the passion in his voice, and seeing his apparent grief, the refugees realised that unlike other 'leaders' and 'sympathisers', here was a man who shared their suffering. He listened to them with deep sympathy and promised to do all in his power to remedy the wrongs.

That day Gandhi visited two more Muslim refugee camps, one at Idgah and the other at Motia Khan. Later Gandhi was informed that the daughter and son-in-law of Dr. Ansari, a nationalist Muslim, had been driven out of their home in Daryaganj. Gandhi had often enjoyed the hospitality of the Ansari family at their Daryaganj residence in the past. Some Sikh refugees, instigated by local leaders, had besieged the house and, under threat to kill, forced the couple to abandon it and shift to a hotel. At the prayer meeting that evening Gandhi said, 'Is it not a shame that the daughter of a pillar of the Congress and a ceaseless worker for Hindu-Muslim unity has been driven out of her house in such a manner? It hurts me that this historic city, where Indraprastha once stood, which has seen the rise and fall of so many dynasties and civilisations, where the Kauravas, Pandavas and the Moghuls once ruled, where the Muslims honoured Swami Shraddhananda by asking him to address them from the Jama Masjid and which the swamiji sanctified by his martyrdom, should have disgraced itself as it has today.'

Some Muslims invited Gandhi to shift to a Muslim quarter in Delhi as he had done in Calcutta, saying if he stayed in their midst they would feel safe. Gandhi agreed to their proposal and decided to move into Asaf Ali's house, which was situated in a locality that had witnessed continuous rioting. That very morning Patel had told Gandhi how firing had continued all night long from the roof of a building quite close to Asaf Ali's residence. An armed police possé had unsuccessfully tried to storm the building four times. When finally they succeeded, the snipers escaped by jumping over the roofs of surrounding buildings. A large cache of arms and ammunition was found on the roof.

The Muslim friends who had invited Gandhi were briefed about the situation. If a stray bullet killed Gandhi or even injured him, there would be a nationwide massacre of Muslims; were they willing to take the risk? The Muslims realised the gravity of the situation; for their protection, instead, they were offered an army contingent in their locality. Even though Gandhi decided against going to Asaf Ali's residence, he was dissatisfied with the alternative arrangement made to protect the residents. He had always reiterated that, if he had his way, he would withdraw the entire police and military from the city.

Many in India felt that the best solution for the resettlement of refugees was to settle them in abandoned Muslim homes. The Hindu communalists openly advocated this option, and incited the incoming refugees to not only

occupy the vacant homes of Muslims but to drive out those who had stayed back and take over these as well. The same lobby of Hindu communalists advocated a planned and compulsory transfer of population. Gandhi opposed this suggestion and warned that, once this principle was accepted, its application would not be confined to the two Punjabs—it would be applied to both nations in their entirety. Then if no Muslim could live in India and non-Muslim in Pakistan, the estrangement between the two dominions would become permanent with a mutually destructive war as the inevitable result. He therefore suggested that the vicious circle of hate, murder and arson should be broken somewhere, the forced evictions of the Muslims by the non-Muslim refugees must stop and the homes of those who had temporarily fled and taken shelter in refugee camps should be protected. The government should become a trustee of such properties on behalf of their rightful owners, till such time as the owners might return or could be brought back.

The Hindu and Sikh refugees argued, however, that since they had been driven out of Pakistan, no Muslim should be allowed to stay in India or at least in Delhi. Gandhi explained that he did not advise the Indian government to ignore the ill-treatment of Hindus and Sikhs in Pakistan. But for the Indian government to take up the cases of atrocities on minorities in Pakistan with the Pakistani government, they would be required to show that minorities in India were safe.

Gandhi visited the majority Muslim quarter of Daryaganj on the evening of 18 September. The residents complained to him of the partisan behaviour of the police and military personnel, which might force them to flee their homes and the city of their birth. Gandhi advised them not to leave under any circumstances saying, 'Even if the police and military should open fire upon you, you should face the hail of bullets and bravely die but not flee from your homes.' Gandhi gave similar advice to the residents of Kucha Tarachand, a Hindu pocket surrounded on all sides by a large Muslim population. The residents claimed that thousands of Pathans, armed to their teeth, had been smuggled in to massacre the Hindus.

All this while, Gandhi had been appealing to both the Hindus and Muslims to surrender their arms. The following day, some maulanas visited him and presented a few rusty arms claiming that Muslims had voluntarily surrendered these in response to his appeal. Gandhi told them that this was an insincere eyewash, and it did not suggest any change of heart on the part

of their community. 'Do not deceive yourselves,' he sternly warned them. 'My stay here will avail the Muslims nothing if they do not thoroughly cleanse their hearts.'

During a visit to the Muslim locality of Pul Bangash, Bada Hindu Rao, Khari Baoli and Chandni Chowk—some of the most congested localities of Delhi—Gandhi noticed that they were now nearly deserted. The Muslims gave him a rousing reception wherever he went, while some young Hindu men staged a hostile demonstration and tried to attack the car he was travelling in. The police later informed Patel that the young men were storm troopers of the local Hindu Mahasabha unit.

The ceaseless physical strain was now beginning to take its toll on Gandhi's health. He had developed whooping cough and was unable to sleep. He said he dreamt of a crowd of Hindu young men rushing into his room. One of them started abusing him, and it seemed, wanted to assault him. 'I began chanting Lord Ram's name to calm them down.' On another occasion when his sleep was similarly disturbed, he said he had been dreaming that he was surrounded by a Muslim crowd and was trying to bring home to them their duty. 'Waking or sleeping I can think of nothing else,' he added. He instructed the doctors that he was not to be administered any alcohol or injections of any forbidden drugs. 'I will refuse to cooperate with life if anybody tries to do this. I do not wish to be kept alive anyhow. It would please me to die with my faith intact.'

The 2nd of October 1947 was Gandhi's first birthday in independent India, and also his last. From early morning a continuous stream of visitors trooped into his room. He observed his birthday, as always, by fasting, prayer and extra spinning. The fast, he explained was for self-purification, and the spinning a token of the renewal of his covenant to dedicate his being to the service of the lowliest and least in God's creating. He had turned his birthday celebration into a celebration of the rebirth of the spinning wheel, and it is remembered as 'rentia baras' (according to the Hindu calendar, Gandhi was born on the twelfth day of the full moon period). The spinning wheel, for him, stood as a symbol of non-violence.

As he emerged from his bath, a small party of dear friends comprising Patel, Nehru, Ghanshyamdas Birla, his host, and the members of the Birla family in Delhi were all present. Mirabehn had decorated his seat by improvising an artistic cross, 'Ram' and the sacred syllable 'Om' made of flowers. Lady Mountbatten arrived with a sheaf of letters and telegrams

addressed to him from England. He requested all to pray that 'either the present conflagration should end or He should take me away. I do not wish another birthday to overtake me in an India still in flames'. Manibehn, Patel's daughter, noted in her journal: 'His anguish was unbearable. We had gone to him in elation; we returned home with a heavy heart'.

One of the messages from the high commissioner for Pakistan in India, Zahid Hussain, said: 'Today the people of India—in which I include Pakistan—are suffering untold miseries and privation resulting from hatreds and conflicts. All eyes are turned to Mahatma Gandhi in the unparalleled crises, which has overtaken the country. India is in many ways a key to the future of the human race and we all hope and pray that inspired by the ideals of Mahatma Gandhi she will play her part truly and well'.

Gandhi was disturbed by the fact that, although a number of rioters, looters and murderers had been apprehended, records showed that a majority of them had been released under one pretext or the other. It was argued that the popular government which had displaced the British administration lacked 'steel'; they did not instil fear in the common people who considered the government as 'our own, not to be feared'. Gandhi felt that this was only partly true, as the popular government wielded a moral force infinitely superior to the physical force wielded by the foreign ruler.

Gandhi made the refugee problem his special concern. Although he had cut down on his entourage and was now accompanied by the barest minimum staff, Gandhi sent Dr. Sushila Nayyar to organise medical relief for the refugee camp at Kurukshetra and also to educate, inculcate and implement proper sanitary practices. The Kurukshetra camp housed one of the biggest concentrations of refugees from West Punjab.

'For method, planning and almost perfect sanitation, give me a military camp. I have never recognised the necessity of a military. But that is not to say that nothing good can come out of it. It gives valuable lessons in discipline, corporate existence, sanitation and an exact time-table with due provision for every useful activity. There is almost pin-drop silence in such camps. It is a city under canvas brought into being inside a few hours. I would like our refugee camps to approach that ideal. These camps can be made inexpensively, provided all the work including building up these canvas cities was done by the refugees themselves. You must be your own sweepers, cleaners, road-makers, trench-diggers, cooks, washer men, etc. Then no refugee will be a burden to others wherever he went.'

Since winter was approaching, Gandhi appealed to the public for blankets and woollens for the refugees and gave precise instructions of how these were to be sent. 'The clothes and blankets should be washed and mended if necessary before they are sent. Quilts have this advantage: they can be stripped, the cloth washed, the cotton hand loosened and the quilts refilled'. The response was immediate and overwhelming. Blankets, woollens, eiderdowns, satins and furs, costly rugs, silks, expensive shawls, embroidered stuff, silken curtains and bed covers poured in from as far as Kashmir, Ceylon and Burma.

Till this time, Sind had remained comparatively quiet and peaceful, but the troubles in both the Punjabs were beginning to have their repercussions here, too. 'The Marwaris and Gujaratis have all gone back to their respective homes outside Sind; where shall the poor Sindhi Hindus and Sikhs go?' Acharya Kripalani asked Gandhi. 'If I were asked, I would say, no-one should leave his hearth and home. This will put Pakistan on its trial'. N.R. Malkani, a Congress leader from Sind, declared his creed after the establishment of Pakistan, thus: 'I do not reject Pakistan. I shall live in Sind and Pakistan, for Sind is my homeland. I shall, therefore, not be disloyal to Pakistan. I shall try and make it a good and strong state. I shall not try to weaken it and in no case shall I be its saboteur.... Being a Sindhi and a Pakistani, I shall claim the full rights of citizenship for I have become a Pakistani as anyone else. If necessary I shall fight for these rights as a Pakistani in Pakistan and a Sindhi in Sind.... I shall no more hoist the Indian flag old or new. I shall roll it up and keep it as a sacred memory in the secret recess of my heart. I shall accept the Pakistan flag as the State flag. But I will not hoist a flag on my house until it endears itself to me.... If I am refused full rights of citizenship, I shall resist openly and when I find my resistance vain and life here dishonourable then I will leave Pakistan and my Sind and induce others to do the same. I hope that evil day will never come'.

But circumstances proved too strong for them.

In a penetrating analysis of the Muslim aspirations embodied in the Pakistan slogan, R.G. Casey, in his book *An Australian in India*, wrote: '...the political leadership of the Muslim League ... had raised the demand for Pakistan only with one goal to acquire political supremacy, prosperity and for the creation of personal fiefs. The minority community in their provinces were the easy targets. Where open communal flare-ups could be

engineered they did so in West Punjab and East Bengal and successfully killed or drove out the minorities and then divided the booty left behind amongst themselves. But the situation in Sind was different, the local Muslim was not prepared to act against his fellow Sindhi Hindu or Sikh, so no "popular" outburst could be engineered but a systematic campaign of terror was unleashed with the help of refugees from East Punjab. Non-Muslim homes and properties were selectively requisitioned as requirement of the state. Refugees were encouraged to forcibly occupy non-Muslim homes and throw out the home owners. Threats, hooliganism and molestation were carried out systematically against the minorities with the administration turning a blind eye. Till the spirits of the minority community was at its nadir. Then the influx of the refugees from East Punjab did the trick'.

A large number of refugees from East Punjab were forcibly sent for resettlement to Sind. These refugees were seething with anger at first having been driven out of their ancestral homes in East Punjab and then not having been accommodated in West Punjab. They were kept in pitiable conditions and were told that, since there were a number of non-Muslims in Sind, the government was finding it difficult to settle them. This provided the spark required to ignite passions there. The refugees decided to take things in their own hands and, assisted by the administration, attacked non-Muslims with brutal fury. There were massacres in Karachi and Hyderabad. A group of Sikhs who had taken refuge in a gurudwara were smoked out and killed to the last person. A large number of Hindus who had taken refuge in an educational institution in Hyderabad were also slaughtered. Non-Muslim businesses and commercial properties were torched. The houses were spared but their inhabitants were butchered. Those who survived fled with whatever they could salvage to India. This new wave of refugees reached India in October.

The worst off were the Harijans in Sind. They were required to wear symbols of their caste on their persons. This was for their own safety they were told, so that their Muslim protectors could identify them. It only made them identifiable targets. Many were butchered and there were reports of their forcible conversions. It was soon apparent that the stigma of their caste was carried forward into Islam too. In Pakistan too they were treated as inferior.

And so began an exodus of Sikhs and Hindus from Sind, carrying with them fresh stories of persecution and terror. The plight of these refugees was again exploited by the Hindu Right wing to instigate retaliation against the Muslims who refused to move to Pakistan; and so a fresh wave of violence against Muslims swept India. As Hindus were mercilessly persecuted and massacred in Muslim-dominated Pakistan by the thugs of the Muslim League, so were Muslims in India by the storm troopers of the Hindu Right-wing. The Hindu princely states were some of the strongholds of these Hindu extremist organisations. In many places they enjoyed the patronage of the princes; Gwalior was one such. Several offshoots of Hindu militant groups found refuge here.

Madanlal Pahwa, one of the accused in Gandhi's murder, had settled down in Gwalior after migrating from West Punjab with the first wave of refugees. He joined a gang of fanatic avengers headed by Dr. Sadashiv Parchure. This gang was involved in the massacres of many Muslims in the villages in British India close to the border of Gwalior state. But their favourite hunting grounds were the trains carrying Muslims from the east and south towards Pakistan. These trains would pass through Gwalior territory; one of the gang members would get into the train, identify the Muslims, and then mark the wagons they were in. At a pre-arranged place, preferably as the train passed through unpopulated jungles, the emergency breaks would be pulled by the gang member, many times in collusion with railway staff. Armed members of the gang would enter the train, go to the marked compartments and pull out the Muslims travelling inside. The Muslim men would be ordered to remove their lungis or pyjamas to confirm if they had been circumcised. Then they would be hacked or shot to death. But the most gruesome method of murdering these victims, was to first stab them and then set them on fire. The plight of the women was similar to that of the Hindu women in Pakistan, the only difference being that in Pakistan they were claimed as trophies of war and taken into the families of their captors. Muslim women who fell prey to Hindu fanatics were raped and then killed.

Shaheed Suhrawardy had joined Gandhi soon after he came to Delhi to act as an emissary between him and members of the Muslim League government in Pakistan. He intended to initiate a dialogue which would ensure peace between the two states and the security of the minorities in both. Due to his old association with the Pakistan leaders, Suhrawardy

possessed an advantage which he could exploit in the quest for peace. Gandhi warned him not to act in haste. He was categorical that Suhrawardy should only go to Karachi if his heart was free of all prejudice. His usefulness would depend upon his ability to get his old colleague, the Qaid-i-Azam, to face up to his own declaration respecting the minorities. If Shaheed himself lacked conviction, or if his mind was clouded, his visit would do more harm than good.

Only after Gandhi was convinced did he send Suhrawardy to Karachi. Suhrawardy sent six despatches from Karachi to Gandhi, reporting on his dialogues with the Muslim League leaders: 'Both (Sir) Ghulam Mohammed and Liaquat Ali Khan agree with my draft. It now remains to promote a conference (after I have seen the Quaid-i-Azam) with him and Mountbatten, Nehru and Liaquat Ali, Baldev Singh, Tara Singh and Kartar Singh, Patel and yourself (Ghulam Mohammad thinks I should be there too) to draft the terms and condition and future conduct.... I am glad to find that the two agree with the "contrition", no interchange of population (except for the Punjab where it has taken place, and no power on earth can stop it—I shall write later about it, as I think Hindus and Muslims can get together, the Sikhs appear to be impossible), and a determined effort to get back the refugees (except for the Punjab Sikhs)'.

A few days later, in the first week of October, Suhrawardy made another trip to Karachi to meet Jinnah with his draft proposal which Gandhi had approved. At the meeting, Jinnah did a volte-face, telling Suhrawardy that he (Jinnah) had allowed himself to be bamboozled by Gandhi. Suhrawardy reported this to Gandhi on his return; Gandhi replied that he was incapable of deceiving anybody or wishing anybody ill. Suhrawardy mentioned that Jinnah thought very highly of Nehru.

Gandhi said, 'May be. He has never done so in public. But that is neither here nor there. Neither Pandit Nehru nor the Sardar cares for praise or blame. If only you could get Jinnah to do the right thing, peace between the two Dominions might return.'

Suhrawardy replied, 'Jinnah says he never asked the Hindus to go out of Pakistan.'

Gandhi said, 'You surprise me. Why do you not speak out to Jinnah and Liaquat Ali? You know the facts. Does not your "peace mission" require you to uphold truth and justice fearlessly and courageously at any cost?'

Suhrawardy replied, 'You do not know how unpopular with the masses the Pakistan government has become. Some are even abusing Jinnah and Liaquat Ali.' To this, Gandhi said that that didn't concern either of them. He reminded Suhrawardy that his mission to Karachi was not to report who was abusing whom but to put the facts as he knew them before Jinnah and ask him what he proposed to do to implement the agreements into which the two Dominions had entered. 'The minorities on both sides should be able to live in their original homes. The main thing is to get the Pakistan Government to square their declarations with their performance,' he added.

In a letter to Jinnah on 11 October, Gandhi said: 'Shaheed Saheb has reported to me your reactions to my endorsement on the suggestions drafted by him. I am sorry to learn about it.... In my opinion some such agreement as suggested by Shaheed Saheb should precede any move for hearty cooperation between two States. What is wanted no doubt is like mind, like word and like action between the two'. Jinnah did not bother to acknowledge or reply.

While Gandhi, due to his influence, strove to bring about a rapprochement between the communities and ensure the safety of the Muslims in the Indian dominion, the leaders in Pakistan were still trying to derive political mileage from the situation. A statement issued by Jinnah seeking funds for rehabilitation exposed his and the entire Pakistani leadership's attitude: 'Sufferings that have been inflicted on our people in ... various ... parts of the Dominion of India have few parallels in their extent'. Jinnah did not express a word of regret or remorse for what the non-Muslim subjects of Pakistan had suffered and continued to suffer at Muslim hands. The leadership of Pakistan continued to use language which did not indicate friendliness towards the Indian Union. Pyarelal sums up the situation in *Mahatma Gandhi: The Last Phase* Vol. 10 Part II: '*Quaid-i-Azam* was already showing symptoms of that deep physical and spiritual ailment which within three months of the founding of Pakistan had robbed him of his debonair self-assurance and stamped him with a "paralysing inability to make even the smallest decision ... sullen silences ... striped with outbursts of irritation...a spiritual numbness concealing something close to panic underneath." He found himself at the mercy of self-seeking opportunists and reactionaries who having helped him to bring Pakistan into being now demanded their pound of flesh. The logic of his past actions, however, drove him to suppress those whose character and integrity he valued, and

which could have helped him to set his own house in order but, who, on account of their very integrity, could not bring themselves to join his political organisation. A liberal and progressive by temperament and conviction, he was fated to conform to the ways of orthodox fanatical Mullahs and political obscurantists about whom he used to confide to the elder Pandit, Pandit Nehru's father, Motilal: "Pandit, I believe in none of their nonsense but somehow I have to carry these fools along!" On all accounts, Jinnah in the winter of 1947–48 was a very sick man—a prisoner of the passions and forces which he had himself raised and could no longer control. "Far from happy", essentially a frightened man "trying to exorcise his fears by nourishing his hatreds" were some of the descriptions given of him by those who met him soon after he became the Governor- General of Pakistan'.

Suhrawardy failed in his peace mission due to his inability and unwillingness to stand up to Jinnah. After one of his abortive visits to Karachi in the last week of October, Gandhi on his day of silence scribbled this: 'I am at a loss to understand what Pakistan really wants to do—whether they want the Hindus to stay there or not.... Please remember that to the minorities this is a life and death question. Fine phrases or impressive declarations on paper will not help. If you can get the Pakistan authorities to implement its declarations in action, you will have rendered the greatest service to the Indian Muslims. It is my claim that though many heinous things have happened in the Indian Union, the Union Government has spread no effort to ensure complete security and protection to the Muslims.... The Sardar and Pandit Nehru have worn themselves out in putting down lawlessness.... You do not know how ill the Sardar is. Yet he carries on by his iron will. I do not know what the policy of the Pakistan Government is, but I know what is happening to the minorities in Pakistan —in the Punjab, in Sind and in the Frontier Province.... But I have faith. I have thrown myself entirely on HIM, so I am at peace'.

In a letter to Suhrawardy, written on 27 October 1947, Gandhi wrote:

My Dear Shaheed,

I address you frankly. I would like you, if you can, to remove your angularity. If you think you have none, I withdraw my remarks.

Hindus and Muslims are not two nations. Muslims never shall be slaves of Hindus nor Hindus of Muslims. Hence you and I have to die in the

attempt to make them live together as friends and brothers, which they are. Whatever others may say, you and I have to regard Sikhs and others as part of India. If any one of them declines it is their concern.

I cannot escape the conclusion that the mischief commenced with Quaid-i-Azam and still continues. This I say more to make myself clear to you than to correct you. I have only one course—to do or die in the attempt to make the two one.

Yours,
Bapu

Gandhi again tested Suhrawardy's sincerity by asking him to condemn Pakistan's hand in the invasion of Kashmir, by so-called tribesmen. Either Pakistan was behind it, as all circumstantial evidence showed, or it was not. If Pakistan was involved, was it not Suhrawardy's duty as an Indian national to proclaim his conviction? On the other hand, if even in the face of the organised forces in such strength in Kashmir, Shaheed maintained that Pakistan had no hand in it, was it not up to him to try and find out who was actually responsible? 'I suggest to you that it is your duty to ascertain the truth. Nothing would please me more than to find that I was wrong and you were right'. Suhrawardy agreed with all that Gandhi said, but did nothing.

After one of the many infructuous meetings he had with Suhrawardy, Gandhi commented that, although he was afraid that Shaheed was not being of any use to either India or Pakistan, he did not want to give up on him. 'He has undoubted talent. He could render great service to the Indian Union, whose citizen he claims to be, and to the Indian Muslims if he had the will. But that will is completely lacking. I have, however, faith'. Gandhi was warned by many that by giving him close and unlimited access he was allowing Suhrawardy to spy on him and the Union government. Gandhi replied that he did not mind being spied upon as he had no secrets; in fact he wanted Suhrawardy to keep a close watch on him and on those who came to meet him and then report to Jinnah what he saw and heard. 'He has not changed his spots,' Gandhi told Pyarelal when he came back from Noakhali in December 1947, 'but I continue to nurse him.'

While the north-east was smouldering and the north-west was an inferno, some other parts of the country were beginning to simmer as well. The situation in Junagadh—one of the three princely states which had not decided the question of accession when the transfer of power took place—

was deteriorating. Junagadh was surrounded on all sides by other princely states of Kathiawad, which had acceded to India. The Muslim Nawab—who spent legendary amounts on his passions: motorcars, polo and pedigree dogs—ruled over a majority Hindu populace.

In May 1947, a few months before the transfer of power, a Muslim Leaguer, Shah Nawaz Bhutto of Karachi, was appointed diwan, prime minister of Junagadh, and took over the reigns of the principality. He opened secret negotiations with Jinnah for Junagadh's accession to Pakistan. Two days after the transfer of power, on 17 August, it was made public that Junagadh had acceded to Pakistan. Neither the Nawab nor his diwan had bothered to consult their subjects, who would have overwhelmingly voted to join India. In acceding to Pakistan the Nawab had violated his promise to the other Kathiawadi princes, that he would stand by their decision on accession, as well as the principle of geographical contiguity which had been agreed upon by the leaders of both India and Pakistan. The Government of India immediately reacted and asked the Pakistan government to define its attitude vis-à-vis Junagadh's accession to Pakistan. After keeping silent despite repeated reminders, on 13 September Pakistan declared that it had accepted Junagadh's accession to it.

During British rule, the Sheikh of Mangrol and the principality of Babariawad were vassals of Junagadh. On 19 September Mangrol broke away from his 'suzerain' and acceded to India. The diwan of Junagadh forced him to withdraw his accession within twenty-four hours. Having forced Mangrol to retract, Junagadh sent its military into Babariawad, which had acceded to Indian earlier. The use of force to coerce its neighbours, over whom its claim of sovereignty had ended with the lapse of paramountcy, led the other princes of Kathiawad to appeal to the Indian Union government to intervene. The Government of India wrote to Pakistan requesting it to order Junagadh to withdraw from Mangrol and Babariawad, which had acceded to India. The government of Pakistan agreed to the withdrawal, but no action followed.

A movement for setting up a provisional government on behalf of the people of Junagadh gathered momentum in Kathiawad in the third week of September 1947. Gandhi hoped that the movement would remain non-violent, and that once the people decided to refuse to acknowledge any authority that did not represent their will, the ruler would bow to their decision. 'What is more, Junagadh can, in this way, blaze the trail for the

Kashmir National Conference to follow and thus provide an automatic solution to the Kashmir problem,' he said.

On 1 November, a week after the ransacking of Kashmir by Pakistan-backed tribesmen, Indian forces entered and liberated both Mangrol and Babariawad. The people's movement was spreading in Junagadh. The merchants of Kathiawad had boycotted it, and the state was now starved of provisions and essentials. The forces of the 'provisional government' were on the move, capturing one position after the other. Shah Nawaz Bhutto, sensing defeat, wrote to the Government of India on 8 November, requesting it to take over the administration of the state, pending the settlement of issues involved in the state's accession, in order to save it from complete anarchy. He also informed the prime minister of Pakistan that he had decided to ask for the Indian government's intervention with the support of the people's opinion, the authority of the State's Council and of the Nawab himself, who had flown a few days prior to Karachi with his treasures, dogs and harem.

The Government of India accepted the diwan's request and asked their regional commissioner at Rajkot to take over charge of the state administration. But immediately after his escape to Karachi, Bhutto began making allegations of an illegal and forceful taking over of Junagadh by the government of the Indian Union. The Pakistan government termed the action taken by India as 'a clear violation of the Pakistan territory and a breach of international law'. While accepting the Nawab's sovereignty when he went against the wishes of his people and acceded to Pakistan, the Pakistan government now challenged his authority to bow to the will of his subjects, claiming that after acceding to Pakistan the Nawab or his diwan had no right to decide on their own or on behalf of their subjects on any issues, and hence their withdrawal of accession to Pakistan was null and void.

Gandhi made his stand on Junagadh clear. He said, 'In free India, the whole country belongs to the people, none of it belongs to the Princes as individuals. Accession to Pakistan by the Nawab of Junagadh was therefore, *ab initio* void. There is nothing unlawful in the actions of the provisional government on behalf of the people of Junagadh and illegal about the actions of the Union Government lending the services of its troops for the preservation of peace in Kathiawad. As for the question of the accession of Junagadh it would be decided by a referendum.'

A plebiscite was accordingly held in February 1948, just weeks after Gandhi's murder. The results showed that out of the total votes polled, 190,779 were in favour of accession to India; only 91 were for Pakistan. However, Pakistan refused to accept the verdict of the plebiscite. Till date, every time they refer to Kashmir, Pakistan usually refers to the issue of Junagadh as well.

One of the fallouts of the Junagadh imbroglio was that extremist elements of the RSS and the Hindu Mahasabha infiltrated the people's movement and there was a spate of killing, looting and arson before they could be brought under control. This led to an exodus of the Muslim mercantile community of Kathiawad, which spilled over into Sind. Till then the provincial government of Sind had protected the Hindu mercantile community, partly because the government feared that, without the Hindu business community's acumen, the economy of Sind would collapse. With the arrival of the merchants of Kathiawad, however, this need was fulfilled and the dependence of the Sind government on the Hindu merchants vanished. In its place there was persecution, harassment and attacks; a few 'examples' were set to send the message that the Hindu merchants would have to leave or be driven out. Another wave of immigration of refugees from Pakistan ensued, adding to the already strained situation in the Indian Union.

Gandhi severely condemned the atrocities committed against the Muslims in Kathiawad. Some people complained that he was 'jumping the gun' by commenting on unverified allegations by the Muslims, which would provide Pakistan with a handle to use in its propaganda against the Indian Union. He was not unaware of the danger, Gandhi replied, but that made no difference to him. If he had ignored the charges made in influential Pakistan journals backed by the prime minister of Pakistan, he explained, his indifference would have resulted in the Muslim world giving credence to the reports as if they were gospel truth. 'Now the best Muslim mind is already sceptical about the truth.... We should never make the mistake of thinking that we never make any mistakes. The bitterest critic is bitter because he has some grudge, fancied or real, against us. We shall set him right if we are patient with him and, whenever the occasion arises, show him his error or correct our own when we are found to be in error.... In the present disturbed atmosphere, when charges are hurled against one another, it would be folly to live in a fool's paradise and feel that we can do no

wrong.... Nature has so made us that we do not see our backs; it is reserved for others to see. Hence it is wise to profit by what they see'.

To the Muslims he said that if their object was, as he took it that it was, not to discredit the Hindus of Kathiawad and the Indian Union but to elucidate the truth and to protect Muslim life, honour and property, all that could be secured by the strictest adherence to truth and by going to the many Hindu friends that the signatories knew they had. 'The workers in Kathiawad who have no communal prejudice are striving to reach the truth and seek redress of every wrong done to the Muslims who are as dear to them as themselves. Will they (the Muslims) help the process?'

Gandhi wrote to Shamaldas Gandhi, his nephew, referring to him as 'His Provisional Highness' of Junagadh. Shamaldas had initially led a people's movement against the Nawab's decision to accede to Pakistan. However, power soon went to his head and he began acting like a dictator several complaints had reached Gandhi. 'I am sending you herewith a wire about Junagadh that I have received, Gandhi wrote. 'If the facts stated in it are true, you have been guilty of a very serious lapse. If, on the other hand, the charges are unfounded, what I have said falls to the ground. I have received numerous letters from Hindus to the effect that you talk nothing but the sword. The Kathiawad tangle is not so simple as you think.... If the leaders are not free from selfishness and pride, it will profit Kathiawad nothing. It was easy to win Swaraj, it is far more difficult to sustain it'.

Gandhi sent two of his own trusted workers to Kathiawad on a fact finding mission. These workers, along with workers from Bombay and Kathiawad, after comparing notes with local Muslims, wired Gandhi admitting that some excesses had occurred, but that a lot of the reports had been gross exaggerations. This had an immediate effect on the local Muslim leaders who had initially complained to Gandhi. They admitted that there had been much exaggeration and what had appeared about the situation in Kathiawad in the papers in Pakistan was incorrect: 'Our telegram was the result of reports which are still not verified.... We are satisfied that damage was not extensive as originally feared.... No question of unimaginable wrong or wrong without parallel. Please do not be worried'.

This was a good example of Gandhi's technique of publicity and propaganda in action. He pointed out the moral: False propaganda did no good; 'the proper thing is to trust truth to conquer untruth'. He wrote in *Harijan*: 'When it is relevant, truth has to be uttered, however unpleasant it

may be.... Misdeeds of the Hindus in the Union have to be proclaimed by Hindus from the housetop, if those of the Muslims in Pakistan are to be arrested or stopped'.

Gandhi always had uneasy forebodings about Kashmir and had tried his best to prevent it from becoming a potential menace in establishing peace between the two dominions. In mid-July 1947 Mountbatten had tried to persuade the Maharaja of Kashmir to make up his mind to accede to either of the dominions, after ascertaining the will of the people and to announce his decision before 15 August. The state department under Patel went out of its way to reassure the Maharaja, through Lord Mountbatten, that in case Kashmir decided to accede to Pakistan, the Union government would not regard it as an 'unfriendly act'. But the Maharaja failed to come to any decision by the appointed date. He said he needed more time to decide. It was not merely to which dominion he should accede to; it was much more whether 'it is not in the best interest of both Dominions and of my State to stand independent'. The indecision cost him dear. Three days before the transfer of power the Maharaja entered into a standstill agreement for one year with Pakistan. He had wished to enter into a similar agreement with the Indian Union as well, but while talks in that regard were still in progress, Pakistan proceeded to force the issue by enforcing a virtual siege. The main line of communication and transport to Kashmir lay through West Punjab, now a province of Pakistan. The supply of essential commodities and the route for its timber and fruits exports was via Pakistan as well. The Pakistan Government stopped the supply of essential items like sugar, salt, food grains, medicine and fuel to Kashmir through its territories. The prime minister of Kashmir, M.C. Mahajan, sent a wire to the governor general of Pakistan on 15 October: 'Ever since August 15, even in spite of agreement to observe standstill on matters on which agreement existed on August 14 ... difficulties have been felt not only with regard to supplies from West Punjab of petrol, oils, food, salt, sugar and cloth but also with the working of the postal system. Savings bank accounts were refused to be operated. Postal certificates were not cashed, cheques on West Punjab banks were not honoured. Owning to the failure of remittances from the Lahore Currency Office even the Imperial Bank was hard put to meet obligations. Motor vehicles registered in the State held up at Rawalpindi. Railway traffic from Sialkot to Jammu discontinued.... The Radio of Pakistan appears to have been licensed to pour volumes of malicious, libellous and false propaganda.

Smaller Feudatory States are prompted to threaten and even intervene with armed interference into Kashmir State....

'The Kashmir Government cannot but conclude that all this is being done with the knowledge and connivance of the local authorities. The Kashmir Government considers these acts extremely unfriendly if not actually inimical. Finally, Government wish to make it plain that it is not possible to tolerate this attitude any longer.... The Governor-General and the Premier are asked personally to look into the matter and put a stop to all the inequities which are being perpetrated. Unfortunately, if this request is not heeded, the Government fully hope that the Governor-General and Premier of Pakistan would agree that it would be justified in asking for friendly assistance and oppose trespass on its fundamental rights'.

The reply from Pakistan was:

'We are astonished to hear your threat "to ask for assistance" presumably meaning thereby assistance from an outside power. The only object of this intervention by an outside power secured by you would be to complete the process of suppressing the *Musalmans* to enable you to join the Indian Dominion as coup d'etat against the declared and well known will of 85 per cent of the population in your state.... If this policy is not changed and the preparations and active measures that you are now taking in implementing this policy are not stopped, the gravest consequences will follow for which you alone will be responsible'.

In an editorial in Dawn published on 24 August, a dire warning was issued to the Maharaja of Kashmir: 'The time has come to tell the Maharaja of Kashmir that he must make his choice and choose Pakistan'. Should Kashmir fail to join Pakistan, it warned, 'the gravest possible trouble will inevitably ensue'.

On 23 October a large scale invasion by a body of what were called tribesmen from the Frontier province led by Pakistani army regulars who were said to be 'on leave', occurred from Abbottabad-Mansera. The invading force—fully armed with modern weapons, including Bren guns, machine guns, mortars and flame throwers—were transported in one hundred trucks fuelled by petrol issued from Frontier province and West Punjab rationed quota; they moved rapidly down the valley towards Srinagar, the capital. All along the way they resorted to arson, loot and murder, women were subjected to mass rape and carried away as trophies of war.

On the 24th, the Indian Army intelligence reported that the socalled tribesmen were being transported by the military up the Rawalpindi road. Muzaffarabad and Domel were captured by a band of over five thousand attackers on the 25th; Srinagar was only thirty-five miles away. The state forces were in full retreat, the situation was critical. The Kashmir government panicked. The Maharaja approached the Indian government with a request for armed assistance to save the situation. The Union government, on the advice of Lord Mountbatten, refused, stating that they could not commit their troops for the protection of Kashmir unless it became an inescapable obligation due to that state's accession to India. V.P. Menon, secretary to the ministry of states, flew to Kashmir on the 25th to convey the Indian government's decision to the Maharaja. He returned to Delhi the following day with a duly signed letter of Kashmir's accession to India. The Maharaja had finally capitulated. Under the terms agreed to by the Partition Council, by signing a treaty of accession, Kashmir became a part of the Indian union. The letter stated: 'With the conditions obtaining at present in my state and the great emergency of the situation as it exists, I have no option but to ask for help from the Indian Dominion. Naturally they cannot send the help asked for by me without my State acceding to the dominion of India. I have accordingly decided to do so and attach the Instrument of Accession for acceptance by your Government'. The Maharaja informed the government of the Indian Union that 'it is my intention at once to set up an interim Government and ask Sheikh Abdullah to carry the responsibility in this emergency with my Prime Minister'.

On 29 September, the Maharaja ordered the release of Sheikh Abdullah and other members of his Kashmir National Conference. Addressing a rally after his release, Sheikh Abdullah declared: 'I have never believed in the Pakistan slogan ... but in spite of it Pakistan is a reality ... I am the President of the Indian State People's Conference whose policy is clear. Pandit Nehru is my best friend and I hold Gandhiji in real reverence. It is also a fact that the Congress has greatly helped us in our movement for a democratic Government in the State. But in spite of all this my personal conviction will not stand in the way of taking an independent decision in favour of one or the other Dominion. Our choice of joining India or Pakistan would be based on the welfare of the four million people living in Jammu and Kashmir. And even if we join Pakistan we will not believe in the two nation theory which has spread so much poison'.

The National Conference and Sheikh Abdullah joined in the request to the Indian government to accept the accession and send in troops to repel the invaders. Thus the accession was not only the action of the ruler but it had been ratified by a democratic organisation with public opinion behind it. In the few weeks after the transfer of power, due to the arm-twisting indulged in by Pakistan and the atrocities committed on the people of Kashmir, there was no possibility any one of them could have wished to join the newly- formed state of Pakistan.

While accepting the accession, the government of the Indian union declared that it was their intention to ratify the Maharaja of Kashmir's decision with the people of Kashmir: 'as soon as law and order have been restored in Kashmir, and her soil is cleared of the invader, the question of the state's accession should be settled by a reference to the people'. Early on the 27th morning, three hundred and thirty officers and men of the First Sikh Battalion were airlifted to Srinagar to stop the hordes of tribesmen who, after sacking Baramulla, were reaching the outskirts of the capital, Srinagar. Now began one of the most well-planned military operations. The logistics were difficult as there were no supply and communication lines. The only way of reaching men, supplies, arms and equipment was by air. Commandeering every military and civilian aircraft, a continuous supply link was established. Planes ferried men, arms and supplies to the only airstrip at Srinagar. The battle to drive back the invaders was being fought just over the perimeter fence of the airport; as troops disembarked they joined the fight. Lord Mountbatten, the much-decorated hero of the Second World War, commented, 'As a military operation the speed of the flyin on 27th October left ... South East Asia Command's efforts standing'. It left the Pakistani war machine standing too.

The raiders were caught totally by surprise, but it had been touch and go; another twenty-four hours and all would have been lost. In fact, the raiders' downfall had also come from the time they had spent ransacking Baramulla. The arson and plundering had continued there for nine days. Neither the Hindus nor the Muslims had been spared; the Kabalees, as the invaders came to be known, did not even spare the clergy. They sacked St. Joseph's Convent, looted and burnt the Welfare Hospital; shot and wounded the Mother Superior, and raped many of the nuns. These nine days, however, gave the workers of the National Conference time to organise the local people's militia for defence against the raiders. There was no administration

in Srinagar. Under advice, the Maharaja had shifted to his summer palace in Jammu. There were no troops, no police; electricity had failed since the burning of the power station at Mohor. And yet, remarkably, Srinagar functioned without panic. The leaders of the National Conference and their workers took charge; Hindus and Muslims of Kashmir united to defend their motherland.

Soon the raiders were on the run. Uri was recaptured, the Poonch garrison was relieved and by the time a ceasefire was declared, Kashmir had been strategically secured and the threat to the valley was removed.

Jinnah, who had made the capture of Kashmir a personal ambition, was said to have stationed himself at Abbottabad to make a triumphant entry into the capital of Kashmir on the festival of Eid, at the head of a procession reminiscent of the conquerors of the past. When news of India's military intervention and the subsequent rout of the infiltrators was conveyed to him, he was livid. He ordered an immediate intervention by the Pakistani army. General Gracy, the acting commander-in-chief of the Pakistan army, informed Sir Claude Auchinleck, the supreme commander. Sir Claude advised Jinnah that the Indian Union was perfectly within its rights in sending the troops into Kashmir in response to the Maharaja's plea for help. If Pakistan intervened with its army, it could trigger a war between the two dominions. He warned Jinnah that this would result in every British officer being withdrawn from both sides. Jinnah was not prepared for this, and so he withdrew his earlier orders.

The Pakistan government denounced Kashmir's accession to India and alleged that it was engineered by 'fraud and violence'. In a meeting at Lahore on 2 November, Mountbatten pointed out to Jinnah that, while Kashmir's accession had certainly been brought about by 'force and violence', the violence had come from the tribes for which Pakistan, not India, was responsible. 'The argument then got into a vicious circle.... Jinnah would retort that in his opinion it was India who had committed the violence by sending in the troops and Mountbatten would continue to stand his ground that where the tribesmen were was where the violence lay. Thus it went on until Jinnah could no longer conceal his anger at what he called Mountbatten's obtuseness'.

The Pakistan government categorically denied any complicity in the invasion of Kashmir by, what they claimed to be, 'tribesmen'. They pleaded their inability to prevent their passage through Pakistan. The Pakistan prime

minister said that the only way they could help pull out the invading tribes from Kashmir was if the Pakistan Army Regulars were allowed to enter Kashmir. When Mountbatten apprised them about the strength of the Indian Armed Forces in Kashmir, the projected build-up over the next few weeks and India's determination to hold on to Kashmir 'at any cost', Jinnah offered to 'call the whole thing off'. Blatantly the prime minister and the governor general of Pakistan were speaking at variance.

At the time of Kashmir's accession to India, there were estimated to be between three to ten thousand non-Kashmiri infiltrators in Kashmir. By the end of the year, their numbers had increased to fifty-thousand inside the state. Another one hundred thousand were amassing on the Pakistan side of the border. In response, India at that time could field sixteen thousand men of its armed forces to defend Kashmir. Although outnumbered, these brave hearts proved to be more than enough to deter the Pakistan threat.

Gandhi had been closely watching the developments in Kashmir and was pained at the way the matter was becoming a festering sore between the two fledgling nations. He had always maintained, he affirmed in one of his prayer addresses, that the real rulers of all the states were their people. The people of Kashmir, without any coercion or show of force from within or without, must by themselves decide the issue. The Pakistan government had been coercing Kashmir to join Pakistan. When in distress, the Maharaja, backed by Sheikh Abdullah, therefore, wished to accede to the Union, the Indian governor-general could not reject the advance. If the Maharaja alone had wanted to accede, Gandhi said, he could not have defended such an accession. As it was, both the Maharaja and Sheikh Abdullah, speaking for the people of Jammu and Kashmir, had asked for it.

Having previously taken the stand in the case of the accession of Junagadh, that the ruler had 'full legal right' to decide the issue of accession, the Pakistan government's objection to the ruler of Kashmir exercising the same prerogative in respect of his state, could be held only as frivolous. The association of the Kashmir National Conference—the inter-communal popular political organisation that had been carrying on a struggle for democratic rights in Kashmir— combined with the Maharaja's request, rendered the Indian government's acceptance of Kashmir's accession valid, and fully justified the sending of its troops to repel the Pakistan invasion.

The defence of Kashmir exacted its toll of heroic sacrifice. Brigadier Usman, a Muslim officer of the Indian Army, fell fighting valiantly while

commanding his troops at Naoshera. He is remembered as 'Naoshera ka Sher—The Lion of Naoshera'. Mir Maqbool Sherwani, a young Muslim leader of the National Conference in Baramulla, engaged in organising the people against the raiders, was captured by the invaders when they took Baramulla. They asked him to repudiate the Kashmir National Conference and swear allegiance to the so-called Azad Kashmir government. Sherwani courageously refused to comply, telling the invaders that their triumph was short-lived since the Indian troops would shortly recapture Baramulla and drive the infiltrators out. He was dubbed a traitor. The infiltrators drove nails through his palms and feet and used him as a live target. Every direct hit was confirmed by a moan from Sherwani. He was shot fourteen times. The infiltrators then displayed their bestiality by mutilating his body and defecating on it. Sherwani's dying prophecy came true within forty-eight hours: liberating Indian troops drove the infiltrators out of Baramulla. Paying tributes to the young martyr's steadfastness and undaunted courage, Gandhi remarked: 'This was a martyrdom of which anyone— Hindu, Sikh, Muslim or any other—would be proud.'

After a dialogue between both the governors general and the prime ministers failed to resolve the Kashmir issue, Lord Mountbatten, with concurrence from Nehru, cabled Attlee, inviting him to rush to the sub-continent to mediate in the dispute. Attlee declined to intervene and suggested that both the parties take the matter to the United Nations. Accordingly, the Government of India, acting on Mountbatten's advice, agreed to refer the dispute to the UNO. Nehru described it 'as an act of faith'. As a necessary preliminary, he handed their official letter of complaint to Liaquat Ali Khan on 22 December. Gandhi was not in favour of taking any Indo-Pak dispute to an outside organisation for arbitration. It would only get 'monkey justice' he warned. Were the union and Pakistan always to depend on a third party to settle their disputes? he asked in his post prayer address on 25 December. Could not the representatives of the union and Pakistan sit down together and thrash out the Kashmir issue, just as they had already done in the case of many others? Alternatively, could they not select from among themselves good, true persons who would direct their steps? The first necessary condition for it was 'an open and sincere confession' of past lapses. Hearty repentance broke the edge of guilt and led the way to proper understanding.

Four days later he again said, 'Will not the Pakistan government and the Union government close ranks and come to an amicable settlement with the assistance of impartial Indians? Or, has impartiality fled from India? I am sure it has not.'

On 30 December 1947, the Government of India made a formal reference to the Security Council of the United Nations in regard to Pakistan's aggression in Kashmir. Gandhi again made it public that his own views on the subject remained unchanged. Speaking on 4 January, Gandhi appealed to the government of Pakistan to remain pure, 'Pak', as its name implied. He remarked that both Hindu and Muslims had resorted to cruel acts and made grievous blunders. He pleaded for amity and goodwill, which could enable the Union's representation to the UNO to be withdrawn with dignity, which even the latter would welcome. The main thing, however, was a real change of heart. The understanding should be genuine. To harbour hatred would be even worse than war.

The issue of Kashmir's accession to the Indian union became a decisive factor in the Indian union's battle for the secular state ideal. Gandhi used it to bring home to the Indian people the vital necessity for the return to sanity, of which they seemed for the time being to have taken leave. Many of the land routes to Kashmir from the new Indian union passed through Pakistan. There was a narrow strip which joined Kashmir to East Punjab. How could Kashmir have trade with India if Muslims could not safely pass through, much less live in East Punjab? If the insanity continued in East Punjab, he warned, Kashmir's accession to the union would be rendered nugatory. He hoped, however, that wisdom would dawn upon East Punjab.

To say that Kashmir was untouched by communal madness would be untrue. Following the upheaval in Punjab, in October 1947, Muslim evacuee convoys going out of Jammu were attacked and massacred by non-Muslims who were armed and guided by the RSS cadres. The Maharaja's army played a very disreputable part in these massacres. When these events were reported to Gandhi he said that the Maharaja, as the absolute ruler, could not be absolved from responsibility for the happenings; he said the Maharaja was unfit to continue to rule. He advised the Maharaja to either abdicate or to remain only as a titular head 'even as the British King is'; full power *de jure* and *de facto* being transferred to the true representatives of the people.

Some members of the Indian government were distrustful of Sheikh Abdullah's ultimate aims; they had doubted the loyalty of all the Indian Muslims who had stayed back. They felt that empowering the Sheikh was too great a political risk and were willing to place their faith, under the prevailing circumstances, in the Hindu Maharaja. The Cabinet was vertically divided over the issue. Gandhi too had his misgivings, but added that it was far better to risk everything for the sake of a principle than to compromise one's principles for fear of a risk, however great.

'If Sheikh Abdullah is erring in the discharge of his duty as the Chief of the Cabinet or as a devout Muslim, he should certainly step aside and give place to a better man. It is on the Kashmir soil that Islam and Hinduism are being weighed. If both pull their weight correctly and in the same direction, the chief actors will cover themselves with glory and nothing can move them from their joint credit. My sole hope and prayer is that Kashmir should become a beacon light to this benighted sub-continent'.

In the matter of strict justice being meted out to the Maharaja, Gandhi was even more uncompromising than the Kashmir leaders themselves seemed to be at that time. He continued to fight for it till the very end. In Pakistan the government continued to exploit the Kashmir issue to whip up anti-India passions. They called for a jehad against the kafirs of the Indian Union and egged on the tribesmen and other Islamic hotheads to join the crusade.

A person posing as the president of the Kashmir Freedom League wrote to Gandhi from Lahore that, as Kashmir was the root cause of tension between the two dominions, withdrawal of the 'aggressive' Indian troops from Kashmir and its handing over 'to whomsoever it rightly belongs' would help to bring about a rapprochement between the two countries and clear the way for the establishment of Hindu- Muslim unity, which was so dear to Gandhi's heart. The naïvete of the argument hurt Gandhi. He had never learnt to be generous at the cost of his principles. His non-violence was of a tough sort and there was no place for vicarious magnanimity. Gandhi asked if the Muslims would continue to distrust the Hindus and Sikhs and vice versa till the Kashmir issue was solved. The army of the Indian union had not entered Kashmir on their own; they had gone there at the call of the ruler of the state and leaders of the Kashmir people. 'If the invaders, tribesman and others, withdraw and leave the issue to the rebels in

Poonch and the rest of Kashmir without any aid from outside, it would be time to ask the Indian troops to withdraw.'

The suggestion that Kashmir should go to whomsoever it rightly belonged, he went on to observe, was perfectly true. Who were the rightful owners of Kashmir? The Maharaja was there and the Indian government could not ignore him. Ultimately, it was for the people of Kashmir to decide their own fate. Hence, the Government of India had unilaterally decided to ascertain their wishes as soon as the requisite conditions for it were forthcoming.

Some advocates of partition, both in India and Pakistan, proposed the division of Kashmir; their formula—surprisingly similar to the one proposed by Bharatiya Janata Party leaders in recent times—was that Jammu, with a predominant Hindu population, would go to India, and the valley of Kashmir, with a majority Muslim population, would accede to Pakistan. Gandhi characterised this proposal as 'fantastic'. He indignantly asked if it was not more than enough that India had been divided into two? One would have thought that it was impossible for man to divide a country which God had made one. Yet it had happened and the Congress and the Muslim League had both accepted it, though each for its own reasons. But that did not mean that the process of dividing should be further extended. If Kashmir was to be divided, then why not the other states? Where would this process stop?

Before long, his fears with regard to referral of the Kashmir issue to the UNO proved true. After a series of denials and prevarications, Pakistan was ultimately driven to admit that its troops had participated in the invasion of Kashmir. The United Nations Commission put on record their findings that on Kashmir soil Pakistan had violated India's sovereignty. But the UNO would not name Pakistan as 'aggressor'. Pakistan placed a series of counter complaints against India, including one of 'genocide', which were put on par with that of India's, with the result that it ended up appearing as the 'aggrieved' party. The British representative in the UN, in pursuance of the old British tradition of Anglo-Muslim League collaboration, sided with Pakistan. India was thus put in the dock.

Meanwhile, the harassment of the Muslims who had decided to stay back in India, continued, taking many distasteful forms. In some parts of the country they were told to wear what the Hindus did, and their women were forced to unveil their faces. Complaints were coming in that Muslims were

not being allowed to cook non-vegetarian food, with the excuse being that the smell was offensive to Hindus. This was strange, because a large percentage of Hindus themselves were meat-eating. Gandhi was himself a vegetarian and Kasturba was even more strict in her adherence to vegetarianism and orthodox Hindu practices. Yet during one of their voyages, when it was suggested that arrangements would be made for a private galley for Kasturba, to spare her from the sight and smell of non-vegetarian food, Gandhi declined, saying that it would be an insult to the ship's company who had been so kind and hospitable to them.

Gandhi continued to make the refugee crisis his priority. On a visit to the Muslim refugees in Panipat, he was shocked to see the living conditions in the refugee camps. There were close to twenty thousand Hindu refugees from West Punjab and their plight was pathetic: the camps were disorganised, ill equipped and filthy. That evening, in his post prayer speech, Gandhi took the authorities to task. The chief minister of Punjab was a veteran Congressman and an old colleague, but if Panipat was a sample of his administrative abilities, Gandhi observed, it was a sad reflection on himself and the capabilities of his government. Why were the refugees dumped anywhere without notice? Why were arrangements for their reception inadequate? Why were the officers not informed in advance about who and how many they were to expect and provide for? He was even more disturbed to find out that over a hundred and fifty thousand Muslims from the Gurgaon districts had been driven out of their homes. They were camped by the roadside with no arrangements for their stay or for their passage to Pakistan. They were faced with a three hundred-mile march in the bleak winter.

The AICC met after a gap of four months to chart their future; on their decisions would depend the path the newborn nation and its people would take. The question of refugee rehabilitation or repatriation was utmost on everybody's minds. The Congress was deeply divided on the issue of whether or not the Hindu and Sikh refugees from West Punjab should be permanently settled in India, or whether the government should work to create conditions where they could return to their original homes. Gandhi was convinced that it was possible for them to go back, provided a situation was created whereby the Muslims who had left to Pakistan were able to

return to their homes in India, with a guarantee of their safety and self-respect.

In the end, though the CWC passed no definite resolution on the subject to be placed before the AICC, Gandhi was able to announce at his prayer meeting on 6 November, that they were unanimously of the view that the Congress, which had stood from its inception for perfect communal harmony, could not in any circumstance go back upon that ideal. The committee was further of the view that, even though the Congress might for a time find itself in a minority, they should cheerfully face the ordeal rather than succumb to the prevailing insanity.

Two days later, on 8 November, Gandhi addressed the AICC for the last time. Pyarelal writes: 'Ever since its inception over a quarter of a century ago, it had been guided by him, whether he was present or not. A straight from the shoulder talk by the Father of the Nation, it was listened to by all sections of the House with the respect it deserved. Each period was a sledge-hammer blow aimed at the anvil of their conscience to strike the fire of the old Congress tradition and the ideals that had made the Congress a power without a rival in the land...

' "I have seen enough to realise that though not all of us have gone mad, a sufficiently large number have lost their heads.... It is to me obvious that if we do not cure ourselves of this insanity, we shall lose the freedom we have won. You must understand and recognise the gravity of the plight we are in.... You represent the vast ocean of Indian humanity. You will not allow it to be said that the Congress consists of a handful of people who rule the country. At least I will not allow it.... When we were fighting for our freedom, we bore a heavy responsibility. But today, when we have achieved freedom, our responsibility has grown a hundred-fold.... There are many places where a Muslim cannot live in security.... I would not be satisfied if you said that it could not be helped or that you had no part in it.... It is the basic creed of the Congress that India is the home of Muslims no less than that of Hindus ... I do not need to quote the authority of the Congress constitution to support my claim.

' "Some say that if we perpetrate worse atrocities on Muslims here than those perpetrated on Hindus and Sikhs in Pakistan, it will teach the Muslims in Pakistan a salutary lesson. They will indeed be taught a lesson, but what will happen to you in the meanwhile? The wicked sink under the weight of their own evil; must we sink with them? ... I hold it to be an impossibility

that three and a half crores (thirty-five million) of Muslims can be driven away to Pakistan. What crime have they committed? The Muslim League may have been culpable but not every Muslim ... it is your duty to call back all those Muslims who have been obliged to flee to Pakistan. India is big enough to keep them as well as all the Hindu and Sikh refugees who have fled here from Pakistan. Of course those Muslims who believe in Pakistan and wish to seek their happiness there are welcome to migrate. For them there is no bar....

' "A hundred and fifty thousand Muslims near Gurgaon are about to be sent to Pakistan. It is said they are no better than criminal tribes and had better be sent to Pakistan. I cannot understand the logic of this argument. There were criminal tribes in India during the British regime. Was there any talk of deporting them then?... Our duty should be to reform them. How shameful it is for us that we should force them to trudge three hundred miles! I am against all such forced exodus.... I know some people are saying, the Congress has surrendered its soul to the Muslims. Gandhi! Let him rave as he will. He is a wash-out. Jawaharlal is no better. As regards Sardar Patel, there is something in him. A portion of him is sound Hindu, but he, too, is after all a Congressman! Such talk will not help u s . . . will not save either Hinduism or Sikhism. Such is not the teaching of Guru Granth Saheb. Christianity does not teach these ways. Nor has Islam been saved by the sword. I have heard many things about the R.S.S.... You have to preserve your freedom".'

Many of the resolutions passed by the AICC were extracted from Gandhi's speech. One assured the minorities that the Congress would always stand by them and ensure that they enjoyed equal privileges and security as every citizen of India. In another resolution it warned many of the private militia to desist from mischief, the resolution identified and named the Muslim National Guard, RSS, Akali volunteers and such other organisations as actual and potential culprits under that category—'a menace to the hard won freedom of the country'. It appealed to them to discontinue such activities and asked the Central and provincial governments to take necessary steps to ensure this. Another resolution appealed to the citizens to help in creating an atmosphere where the evacuees from both the dominions would be induced to return to their former homes. Unfortunately, the AICC resolution had no effect: a fresh

wave of refugees brought with them their tales of woe, and violence erupted once more.

It was reported to Gandhi that some of the members of the AICC, who had voted for the resolutions, were insincere. In a letter to Pyarelal, Gandhi wrote: 'I see my battle has to be fought and won in Delhi itself. There is a lot for me to do here.... Six resolutions of the All-India Congress Committee this time were practically mine.... It now remains to be seen how they are implemented'.

Acharya Kripalani expressed his desire to step down as Congress president. He said that since he had become president of the party, he had been unable to work with many of his Congress colleagues in the government. He felt that, if he continued, the disharmony between the party executive and the government would weaken both the party and hinder the Congress government at the Centre, and thus it was best for him to step down. Gandhi endorsed his stand. Almost all the stalwarts in Congress were in the government. Who would take up the presidency of the party? Some suggested that, under these circumstances, Gandhi should take charge. However, Gandhi said he was not sure whether his drastic remedies would appeal to any one. He preferred a Congress socialist leader to take charge as he did not want the party executive to become a mere rubberstamp of the government in power. He suggested the name of Acharya Narendra Dev, but his candidature was unacceptable to some of the Congress leaders. Finally, they decided to appoint Dr. Rajendra Prasad, who resigned from the government and took charge as Congress president.

The question of the accession of princely states and their assimilation into the Indian Union was a matter that required great diplomacy. The government was coping admirably with this, but a few irritants remained. The Nizam of Hyderabad was using every trick in his armoury to obstruct and derail the process of assimilation. He ruled over a majority Hindu populace who were keen to join the Indian Union, but his henchmen and he had other plans. He obstinately refused either to accede to the Indian government or to hand over power to a popular government. He argued that Hyderabad was an independent country and was organised as a country. The Government of India rejected this argument outright.

On 12 August, Mountbatten secured a two-month extension to allow the Nizam to reach an agreement on the issue of accession. Outwardly the Nizam expressed his desire to join the Indian Union on special terms and

carried on with negotiations; however, the government later discovered that he was in advanced negotiations with Czechoslovakia to procure arms. At the same time, Ittehad-ul- Mussalmin, a Muslim militant organisation, and its para-military wing the Razakars, launched a campaign of terror and subjugation amongst the Hindu population of Hyderabad. They held anti-India demonstrations in Hyderabad to give the Nizam an excuse to put off a decision on accession.

The Nizam orchestrated events in such a way that his ultimate intentions became increasingly suspect. It was discovered that he had kept a line open with Pakistan, and was negotiating with Portugal as well, to form a confederation with its colony in Goa, thus securing an outlet to the sea for his landlocked state. He threatened the Indian government that, if his demand for special privileges and powers were not granted, he would accede to Pakistan. The invasion in Kashmir had kept the Indian government occupied, and the Nizam exploited this to the hilt.

The Nizam's deviousness was referred to by Mountbatten's press attache in his diary: 'The Nizam of Hyderabad is undoubtedly playing for time to see how Kashmir develops before taking a final decision.... The Ittehad which he originally encouraged has now become a veritable Frankenstein....' Finally, the Nizam signed a standstill agreement on 29 November for one year, during which a permanent settlement would be arrived at. Three days before the signing of the agreement, Razakar leader Kassim Rizvi met Gandhi. The meeting had little or no effect on the swash-buckling Razakar chief. He became more ambitious and continued to make outrageous claims by declaring that he would not rest till he had established himself in the Red Fort. This was a common boast among many Muslim hotheads who considered themselves to be modern-day Moghul emperors, and so used the Red Fort to symbolise their dream of one day ruling India. Eight months later Rizvi did find himself established in the Red Fort, but as a prisoner, after the Union government's 'Police Action' liberated Hyderabad. Kassim Rizvi was charged with sedition and incarcerated as a traitor.

In the meantime, violence was erupting in Sind. On 17 December a vicious riot broke out in Hyderabad, Sind, where non-Muslims were identified and targeted systematically. Under the pretext of housing the refugees from East Punjab the government began forcibly occupying educational institutions run by non-Muslims; even places of worship of the

minorities were not spared. The government put many obstacles in the sale or transfer of non-Muslim property, its reason was to discourage migration of non-Muslims from the province. Non-Muslim government servants who had sent their families away were being forced to call them back so that the government could hold them hostage and ensure their loyalty.

Gandhi publicly warned the Pakistan government that their actions would lead to grave consequences if they made it impossible for non-Muslims to remain in Sind as free citizens. He advised the government that the only way to check the exodus was to regain the confidence of the minorities. His advice fell on deaf ears. By 5 January 1948, nearly 500,000 of the total 1.4 million Sikhs and Hindus had left Sind. Initially Muslim refugees fleeing North India and East Punjab had settled in refugee camps in West Punjab, but the conditions in these camps was abysmal. With the onset of winter the plight of these refugees was desperate and so the exodus began towards Sind. By mid-January the trickle had turned into a torrent. One column of refugees, almost a quarter of a million strong, reached Multan on the Punjab-Sind border.

The minorities in Sind were fearful, knowing that this new influx indicated that terror would be unleashed against them once again. That is precisely what happened. On 6 January riots broke out in Karachi, the capital of Sind. Sixty-four Sikhs, who had earlier been driven out of their homes and had found shelter in a gurdwara were attacked by a Muslim mob and butchered. Nearly seventy per cent of non-Muslim property in Karachi —houses, shops and business premises—were looted. The combined population of Hindus and Sikhs in Karachi stood at three and a half lakhs before partition, by 13 January 1948, all the surviving Sikhs had left and only ninety thousand Hindus remained. The Pakistan government expressed its inability to cope with the situation, Gandhi advised them to quit if they were powerless to provide security to their citizens. 'That might make things worse for a while, but ultimately the things would improve,' he said. In Delhi, he gave identical advice to the government.

Pyarelal writes: 'The exodus from East Bengal continued. To this was added still another from the State of Bahawalpur (Pakistan). It helped to swell the ranks of destitute refugees in Bombay, Kathiawad, the C.P., Delhi and the U.P. on one side and Bengal, Assam, Bihar and Orissa on the other. The incoming refugees did not come with any friendly feelings towards those whose coreligionists across the border had dispossessed them of their

hearth and driven them almost naked and penniless from the land of their birth which they dearly loved. A menacing situation thus began to develop in India generally and in Delhi in particular.

'In the face of this, the Congress High Command felt helpless. They could neither stem the exodus nor the rising tide of passions which the growing pressure and the worsening condition of the refugees had generated. This could result only in a catastrophe which threatened not only the values for which the Congress and the Indian Union stood but independence itself. And this Gandhiji had vowed to himself he would not live to see'.

Many Muslim League leaders and supporters who did not subscribe to Jinnah's views had stayed back in the Indian union. Here they were under surveillance: once before they had betrayed the country and sided with the separatists, where were their loyalties now? Patel, the eternal pragmatist, warned them: 'I believe in plain speaking. I want to tell the Muslims frankly that, at this critical juncture, it is your duty to sail in the same boat and sink or swim together with us. You cannot ride on two horses. You must select one horse, whichever you like best.'

The leader of the Muslim League party in the Constituent Assembly, Khalik-uz-Zaman, told his erstwhile colleagues across the border to mind their own business and leave the Indian Muslims alone. The leader of the Muslim League party in the Orissa Assembly appealed to the Indian Muslims: 'Let us now forget the two-nation theory and owe allegiance to the Indian Union.... In spite of the platitudes by the Pakistanists (sic), they cannot do anything for our safety and it would be futile for us to look to them for protection.' To Gandhi it was clear that the Muslim League, like other non- Muslim communal bodies, could not continue any longer as a political organisation. 'They may function as religious organisations for internal religious reform for the purpose of exploring the best and living the best that is in their religion.'

According to the partition plan, government employees in the partitioned provinces and those serving under the Central government were given the option to serve either in the Indian Union or in Pakistan. As a result Muslims opted for Pakistan, and Hindus for the Indian union. But some Muslims working in the postal services and the railways, who had originally opted for Pakistan, now had a change of heart. They claimed that their earlier decision was based on populism and propaganda and they now

wished to remain in their original postings. Some other Muslim employees complained that they had been discharged from their posts, presumably on the grounds of suspected anti-Hindu bias. Gandhi told them that while his sympathies were with them, the right course for them was not to resent 'pardonable suspicion' although it might be unjustified in individual cases. 'Until the dominating and corroding communal poison is eliminated, I think it is necessary and dignified for Muslims not to aim at the loaves and fishes in Government employment. Power comes from sincere service. Actual attainment often debases the holder.'

During the riots in Delhi many mosques had been vandalised and forcibly occupied by refugees. Some had been converted into temples. Gandhi drew Patel's attention to this and told him to ensure that such incidents did not occur again. Gandhi had suggested that his department, on behalf of the Union government should make an announcement that no sacrilege would be suffered in regard to mosques and if any damage did occur, the repairs would be affected by the government. The Delhi administration issued a communique giving seven days' notice to the non-Muslims occupying mosques to vacate them, failing which the police would eject them by force.

Pyarelal writes: The Muslims made grave allegations against Sardar Patel and his officers. The latter, they alleged, were turning a blind eye to the looting of Muslim Shops. While making a pretence of taking action, they were actually telling the refugee crowds to come in their numbers so that the police could afterwards plead helplessness in the face of 'superior numbers'. Gandhiji arranged a meeting between their spokesmen and three of the senior members of the Cabinet to thrash out the whole matter in his presence. The meeting was repeated on the 25th December, when the police chief of Delhi was also present. Gandhiji did not feel very satisfied with the result. Quite a proportion of the police and military personnel in Delhi had their homes in the West Punjab and the Frontier Province, now part of Pakistan. Some had been recruited from among the ranks of the refugees as an emergency measure.... Deep resentment and bitterness against the Muslims was the order of the day. The womenfolk, as might naturally be expected, were even more distraught and resentful than the men. The police did not openly defy Government's orders. But very often they let their deep personal bitterness get the better of their sense of duty and discipline.

'These were the agents through whom the administration had to be carried on. Sardar Patel was a much harassed man, very ill too. The machine of which he was in charge could be run only in a particular way. He had to rely on his officers.... He could not afford to lose their loyalty by putting too heavy a strain on it, or allow their moral to be affected in the difficult times through which they were passing. Gandhiji found himself in a very anomalous position. He was not in the Government. The tempo of things very often left hardly any time to act through the normal channels. To tackle urgent and immediate problems that brooked no delay he had often to avail himself of the medium of his prayer address broadcasts. These became for the public and all concerned unofficial orders of the day. At the same time he did not want to do anything which might have even the appearance of intrusion or interference. On one occasion we found him writing to the Sardar: "After meeting Randhawa (deputy commissioner of Delhi) I felt it would save your time if I wrote to him directly. Would it be in order?"

'Mirabehn had been able to make some very fruitful contacts with the British military officers in 1942, when the Government became panicky under the stress of war. She asked Gandhiji whether she could not do something like that to get things set right in Delhi. The reply he gave her was significant: "These are not old days. Now there are wheels within wheels. You cannot do any useful service by seeing these military men except as friendly faces, who will give warm welcome but nothing else."

' "People expect much from me," he observed at one of his prayer meetings, "but they must realise that I am not running the Government." Those at the helm of affairs were his friends, but he did not, he went on to say, want anyone to accept his advice merely out of friendship or regard for him. They should do so only if it went home.... The Ministers had inherited the old machinery from the British rulers and they were making the best of it.

There were stresses and strains within the Cabinet too. The temperamental differences between Pandit Nehru and Sardar Patel had always been there. And then there was the difference in regards to their respective approach to various questions. The Sardar had the highest regard personally for Pandit Nehru, and his matchless qualities of head and heart. But he complained that his chief had surrounded himself with bad counsellors, did not show sufficient confidence in him and got himself lost in abstractions and generalities which defeated his good intentions. Pandit

Nehru on his part was dissatisfied with the Sardar's way of handling various questions, though he yielded to none in his appreciation of his shrewd common sense, administrative genius, drive and unsurpassed fighting qualities.... Both the Sardar and Pandit Nehru had by turns been allergic to Gandhiji's approach to sundry issues. But neither could do without Gandhiji, and Gandhiji had come to the conclusion that the country needed the services of them both in the Government. In spite of their differences the two had cooperated as disciplined soldiers and loyal friends and comrades for nearly thirty years during the struggle for freedom.... But since independence, these differences had begun, more and more, to assume a practical shape and even to affect their personal relations.

The delimitation of powers and functions of the Prime Minister vis-à-vis his Cabinet colleagues had never been clearly effected. Had the Prime Minister a special function as a "coordinator and supervisor" covering all the other Ministries? If so, how was that function discharged without interference with the functioning of other Ministries? This particularly affected the relations between Pandit Nehru and Sardar Patel.... Acute differences of policy between two powerful colleagues in the Cabinet is generally resolved by a showdown between them—one of the two eliminating the other—if the differences cannot be otherwise reconciled. But Gandhiji's nonviolence had introduced a new dimension in Indian politics. It was possible, he had shown, to guide power without oneself being in power. Both Pandit Nehru and Sardar Patel were big enough in their own right not to depend upon office for their position in the country. Instead of one trying to eliminate the other, each was prepared to eliminate himself in favour of the other in the interest of smooth running of the Government and both had written to Gandhiji to that effect.

'Gandhiji was afraid that the growing rift between the Congress leaders would be exploited by Pakistan. It almost seemed that Pakistan was banking upon a split and was only biding for its opportunity. Even more painful to Gandhiji personally was the fact that the Governor- General was being drawn into these bickering. "Why should we allow Mountbatten to take such interest in our family quarrels—his best intentions not withstanding?" he exclaimed to a Congress colleague. It was no reflection on Mountbatten the man. Gandhiji had the fullest confidence in him. But it was humiliating for India. Gandhiji had been trying in his own way to bridge these differences and from what he knew of the parties, he had not a shadow of a

doubt as to the ultimate result. They were both patriots to the core.... Soon after I had rejoined him at Delhi, Gandhiji remarked to me one day: "Each of them—the Sardar, Pandit Nehru and Mountbatten—is playing his game with consummate skill—with the purest of motives and with the sole purpose of serving India according to his lights. As I am playing mine," he added, "and it alone is going to prevail in the end. There is no salvation for India except through my way. Mountbatten at least has seen this".'

The situation in Kashmir was deteriorating by the day. Gandhi likened the situation in Kashmir to a glowing matchstick in a stack of hay. 'You never can tell when it may light up and the whole thing go(es) up in a blaze'. The question of special powers given to the Maharaja post his accession was becoming a contentious and complicated issue. Gandhi wanted that the Union government have no special agreements with any of the princes or provinces. He hoped that the Indian Union would stand by the principles it was founded on, where there was 'full justice and equal treatment to the minorities and punishment for the wrong doers without fear or favour.'

To compound the chaos, every day brought with it a new complication. One of these was Pakistan's share of the cash balance of undivided India, which evolved into a long drawn out and acrimonious issue. Eventually, out of the Rs. 375 crores cash balance, Pakistan was paid Rs. 20 crores on the day of the transfer of power. Pakistan's share was to be decided after negotiations between the two governments. This agreement was signed between the representatives of the Pakistan government and senior leaders of the Union government including Patel and Nehru, after Pakistan had become an independent nation. After prolonged negotiations, an amount of Rs. 75 crores was agreed upon. A bilateral treaty was signed between two independent nations, by which India agreed to pay Rs. 55 crores to Pakistan.

To force India's hand and to score brownie points with their people, the Pakistan leaders made a triumphal announcement to the media that they had 'forced' India to pay Pakistan its share. This did not go down well with the people of India in the backdrop of the developments in Kashmir and the rehabilitation of refugees from Pakistan territories. To save face, the Indian leaders issued statements that they had insisted that the final settlement of the accounts and the payment of the balance amount would be done only after all issues were resolved between the two dominions. Pakistan leaders

denied that any such conditions were imposed or accepted by them. The text of the treaty did not mention this either. Facing growing criticism, the Indian government decided unilaterally to defer the payment of the balance amount 'till all issues were resolved'. Pakistan immediately went on the offensive. The finance minister of Pakistan termed the move 'an act of aggression'. The Indian government justified their decision as their unwillingness to fund Pakistan's aggression against India in Kashmir. But when the agreement was signed, the aggression in Kashmir had already begun, but no such rider had been included. Nehru issued a statement justifying the Indian government's actions: 'A State freezes the credit of the other party in such circumstances. We have not frozen anything in that sense. All that we said was that we accept this agreement but there must be an overall settlement and we shall honour it completely'. This was logical but should have been included in the treaty. Also, going by this agreement, when an act of aggression had already been committed why was the treaty, agreement, whatever one must call it, signed?

On 6 January, while meeting Gandhi to discuss the overall situation in Delhi, Mountbatten voiced his concern about the government's stand. Gandhi asked Mountbatten for his frank and candid opinion. Mountbatten replied that it would be the 'first dishonourable act' by the Indian Union government if the payment of the cash balance claimed by Pakistan was withheld. After this conversation Gandhi did refer to it and also said that, by agreeing to partition, a sin had been committed. By dishonouring an agreement, which was a moral commitment, India would compound the sin and after that its word would be worthless. He did not question the legality of the Union government's decision. He agreed that he would not insist that the Union government go beyond what the strict letter of the law required and permitted them. But he expected that India would live up to its tradition of death before dishonouring a promise.

BOOK 3

12

RED FORT TRIAL

'I shall be content to be written down an impostor if my lips utter a word of anger or abuse against my assailant at the last moment.'

– MAHATMA GANDHI

Immediately after Gandhi was murdered at 5.17 pm on the lawns of Birla House on 30 January 1948, his murderer, Nathuram Vinayak Godse, was arrested. A member of Gandhi's entourage and an eyewitness to the murder, Nandlal Mehta, filed a First Information Report, FIR,of the murder at the Tughlaq Road Police Station. The original FIR was written in Hindustani, in the Urdu script. The following is its translation.

F.I.R. (First Information Report) & A.T.R. (Action Taken Report) of the Assassination of Mahatma Gandhi Police Station: Tughlaq Road, District New Delhi

F.I.R. No. 68 *(In the original in Urdu script, the numerals 14 precede the handwritten number 68)*[*]

1. Date and Place *(should be time*) of Occurrence: 30-1-1948; at 5.10 pm (5.17 *pm*)
2. Date and Hour when reported: 30-1-1948, 9.45 in the evening.
3. Name and Address of Informant & Complainant: Nandlal Mehta S/o. Nathalal Mehta, Community: Hindustani. Address: Connaught Circus, Lala Sarju Prasad Building, M Block, New Delhi.
4. Brief Description of the Offence and Property Carried off if any: 302 IPC.
5. Name & Address of the Criminal: —
6. Steps Taken regarding Investigation Explanation for Delay in Recording Information: There have been no delays. Complaint Number 50, Note Book No. 1.
7. Date and Time of Despatch from Police Station: Refer to Special Report.

Signed D/o. ASI Dalu Ram

The statement of Nandlal Mehta S/o. Nathalal Mehta, Community Hindustani, resident of Connaught Circus, Building Lala Sarju Prasad, New Delhi:

'I was present at the Birla House today. At about 10 minutes past 5 o'clock Gandhiji got up and left to go to the *Prarthana Sthal* from his room in the Birla House. He was accompanied by his "Sticks" Mrs. Abhabehn Gandhi and Miss Manubehn Gandhi. Mahatma Gandhi was walking between the two sisters with his arms on their shoulders. Shri Brijkishan Chandiwala resident of No. 1, Narendra Palace, Parliament Street and Sardar Gurbachan Singh resident of Minarpur, Delhi, were walking a few paces behind them. Some women from the Birla Family and 2 or 3 members of his staff were also in the entourage. After passing through the garden, Gandhiji climbed up the stone paved steps to go to the *Prarthana Sthal.* As Gandhiji ascended the steps, the gathering at the *Prarthana Stha*l stood up and parted forming a passage three feet wide through which Gandhiji could pass. Gandhiji folded his hands in greetings and started walking down the passage towards the dais. He had barely taken six or seven steps towards the *Prarthana Sthal* when a youth stepped out of the crowd and blocked his path, it was later learnt that the name of the young man was Narayan (*should* be *Nathuram*) Vinayak Godse, resident of Poona. The young man walked up to Gandhiji, when he was barely 2 to 3 feet away, he whipped out a pistol and fired thrice in rapid succession at Gandhiji. The bullets hit Gandhiji in his stomach and chest, blood began to flow from the wounds. Gandhiji collapsed to the ground saying "Ram ....R..a..m ..... R...a.....m". The attacker was immediately caught along with the pistol. Mahatma Gandhi was picked up and carried, unconscious, to his room in Birla House. There it was discovered that Gandhiji was no more. The Police took the murderer to the Police Station'. Signed N. L. Mehta, 30-1-48

Action Taken: On hearing the report of Gandhiji's murder, I immediately rushed to Birla House. Mahatma Gandhi's body was kept in a room in Birla House. I met Nandlal Mehta Sahib, who had given his eyewitness statement. The text of his statement was read out to him, after confirming that it was correct he signed it. A copy was given; on inquiring about the

accused, I was told that ASI Dalu Ram had taken him to the Police Station. Since the offence was of IPC 302, the crime scene was investigated, evidence gathered, statements of eyewitnesses recorded and all this was filed at the Tughlaq Road Police Station, under due procedure. A special report must be forwarded to the concerned Senior Officials from the Police Station Post Haste. Signed.

Thus a file containing all the statements, investigation reports and copies of the relevant entries in the registers have been despatched to the office of DSP New Delhi, Jaswant Singh. The special report was despatched to the concerned officers on 30-1-1948 ASI Dalu Ram.

Written by SI Kuldeep Singh

The political fallout of Gandhi's murder was that the Union Home minister, Sardar Patel, came under intense attack, for the failure of the police department, which was directly under him, to protect Gandhi. The Nehru loyalists in the Congress saw this as an opportunity to attack and weaken the Iron Man of India. The attacks were strongly corrosive. It took a terrible toll, both on Patel's political as well as physical health. On 6 February 1948, in a special session to discuss Gandhi's murder, questions were raised in Parliament and the Home minister faced severe criticism.

(The following is a translation from Hindi by the author of the actual parliamentary proceedings)

Balakrishna Sharma, MP: Is it true that a superintendent of police was assigned to remain present during the prayer meetings, but on that unfortunate day he was absent?

Hon. Sardar Vallabhbhai Patel: There were armed policemen in large numbers. But I have no information whether a superintendent was not present. I cannot confirm whether the officer was present or not. But I will inquire.

BS: On the day of the bomb explosion a search was carried out at Marina Hotel and some clothes were found with the laundry mark 'N.V.G.', Nathuram Vinayak Godse. Armed with this information the police went to Bombay and asked the Bombay Police to find that person. The Bombay Police sent back the policemen from here saying that they would make inquiries. Is it true that Bombay Police failed to track down and arrest Nathuram Vinayak Godse?

SVP: It is difficult and also improper to speak about or reveal issues which are under investigation. I can only say that after the arrest and interrogation of the first person who exploded the bomb, an officer from Delhi was immediately sent to Bombay to interact with the CID there. After consultations it was decided that some people should be arrested; but it was felt that immediate arrest would be improper, this would alert others involved in the conspiracy, they would then abscond or worse go underground and continue their nefarious activities. That is why after consultations the Bombay Police and the Delhi CID decided that the matter should be discreetly investigated and the entire conspiracy should be exposed along with all who were a part of it before (the) arrests. It is true that the police were on the look out for these people, but all of them were not in Bombay.

BS: If the information does not compromise the ongoing investigation, can I ask if it is true that Nathuram Godse came back to Delhi by plane?

SVP: I feel that it is improper to reveal details about a matter that is currently being investigated.

Deshbandhu Gupta, MP: If it is true that the person arrested first had confessed the name of the murderer was it not possible for the Delhi CID to secure his photograph from Bombay? Then copies of the photograph could have been distributed amongst the people looking after arrangements at the prayer meeting and they could have detained the murderer in time to prevent the murder?

SVP: After getting the information the Delhi Police did try to locate these people. But all the accused were not in one place and it was not possible to photograph them.

L. Krishnaswamy Bharati, MP: Is it true that this government had been informed by the Bombay police that a 'criminal' involved in the conspiracy was on his way from Bombay?

SVP: This is not true.

H.B. Kamath, MP: Is the government aware that after the calamity that has befallen us, certain vested interests and people are putting the entire blame on the Hon. home minister and are thus trying to create a rift in the Cabinet and are sowing doubts in the minds of the people?

Speaker: Keep quiet. Second question.

Rohini Kumar Chaudhury, MP: Can I ask if the police seek the convenience of the person they are assigned to protect? The truth is that in

the matter of security the convenience of neither the governor nor the governor general is asked.

SVP: As far as the issue pertaining to the current matter, the concerned person was of a different category and in his case it was impossible for the police to act without seeking his advice.

RKC: But in the wake of the incident will the Hon. minister ensure and institute procedures so that in the matter of security arrangements the police will be solely responsible?

Speaker: Quiet, silence. Member, you have started arguing.

RKC: I am only suggesting that in future all security decisions should be left to the discretion and ability of the police without interference.

Speaker: It is clear that this will largely depend on the concerned person.

BS: The Hon. home minister in person has informed the august house that in the matter of the security of our ministers their concerns and wishes are taken into consideration. I would like to appeal that some of our ministers are such that their consent and wishes should not be considered, because....

Speaker: This is not a question nor an effort to get at the truth, you are being argumentative.

RKC: Sir, can I ask how did it transpire that Raghu Mali was the first person to catch the murderer? He grappled with the killer and brought him down. The police only reached the spot after some time. Where was the police at that time?

SVP: I cannot say whether the police reached first or the gardener. These are all unsubstantiated newspaper reports.

★

After the murder there was a spate of arrests all over the Union. Many versions were published by the media, further compounding the confusion. This led to many reprisals against those who were alleged to be involved and a potentially explosive situation developed. This forced many provincial governments from banning the publication of any news concerned with the murder investigation. Under the guise of avenging the murder, gangs vandalised and murdered a few Brahmins in Bombay state and in the princely state of Kolhapur. Patel went on to issue a public appeal: 'In this moment of tragedy if we succumb to the feeling of revenge and

counter violence we will fail to be worthy of Gandhiji. I assure the people that the Government will take severe action against people indulging in such activities.... It is only proper for the people to leave the responsibility of investigation on the Government.... I appeal to all the people to maintain clam and remain steadfast and soon return to their work and profession. They must allow the law to do its duty and not do acts of counter violence'.

The trial of the accused was the third trial to be held at the Red Fort in Delhi, the seat of the Mughal emperors constructed by Emperor Shahjahan in the seventeenth century on the banks of the Yamuna. A few hundred yards ahead, Gandhi's mortal remains had been consigned to flames at Raj Ghat. The structure in which the court was to sit had been built by the British to house its soldiers. In an adjoining barrack in the fort, the trial of the Indian National Army officers had been conducted two years previously. The first trial had been of the last Mughal emperor, Bahadur Shah 'Zafar', the poet, after the first war of independence in 1857.

A couple of months had passed since the murder and there was widespread speculation. Finally, during the second week of April 1948 news came that the district and circuit judge of Kanpur, Atmacharan ICS, would hear the case. Unconfirmed reports from Delhi suggested that it would begin in May and would be conducted in a special court. Since there was no confirmation from the government on these speculative reports, rumours were flying thick and fast. The Hindu extremist core was hoping that the trial would not begin soon. They needed time to formulate a defence strategy. But as soon as the possibility of an early trial began to gain credence they instituted a 'defence fund' which was to meet the cost of hiring the best defence team for the accused and meet the financial needs of the dependants of the accused. Donations were collected by all the Hindu Mahasabha and RSS members from their supporters and sympathisers. The Bengal Hindu Mahasabha took the lead in this activity.

On 8 May 1948 the government published a notification no. 54/1/48—Political, Government of India, Ministry of Home Affairs, dated 4 May 1948, under Section 10 and 11 of the Bombay Public Security Measures Act, 1947 as extended to the Province of Delhi and the case was made over to the court for trial under Notification No. 54/1/48—Political, Government of India, Ministry of Home Affairs, dated 13 May 1948. A building in a specially designated area in the Red Fort was declared a prison, under

Notification No. 54/6/48—Political, Government of India, Ministry of Home Affairs, dated 15 May 1948.

The delay occurred because the prosecution were unable to decide whether they wanted to try Savarkar along with Godse and the others, or separately. Eventually, all the accused were tried together. It was also decided to extend Sections 10 and 11 of the Bombay Public Security Measures Act, 1947 to the provinces of Delhi, to facilitate a speedy trial. This empowered the presiding judge to skip the noting of detailed statements of the witnesses and similar time consuming procedures. However, this decision attracted a fair amount of criticism as some felt that a 'constitution bench' comprising more than one judge would have been more fitting. On 15 May 1948 the Union Government of India published a special gazette and proclaimed that the nine accused in the Gandhi murder case would be tried on behalf of the Government of India under Sections 109, 114, 115, 120B and 302 of the Indian Penal Code; Sections 3, 4, 5 and 6 of the Explosive Substances Act of 1908 and under Sections 19(D) and 19(F) of the Arms Act of 1878.

The nine accused to be tried were:

1) **Nathuram Vinayak Godse:** Hindu, 37, Editor, *Hindu Rashtra*, Shaniwar Peth, Poona.
2) **Narayan Dattatreya Apte:** Hindu, 34, Director, H.R. Prakashan Ltd., 22, Budhwar Peth, Poona.
3) **Vishnu Ramkrishna Karkare:** Hindu, 37, Proprietor, L.&B. House, Pardeshi Aali, Ahmednagar.
4) **Digambar Ramchandra Badge** (Approver): Hindu, 39, Proprietor, Shastra Bhandar, 300, Narayan Peth, Poona.
5) **Madanlal Kashmirilal Pahwa:** Hindu, 20, (Punjabi Refugee), Visapur Refugee Camp, Ahmednagar.
6) **Shankar Kistayya:** Hindu, 20, Domestic Servant (Yellamma Peth, Sholapur) 300, Narayan Peth, Poona.
7) **Gopal Vinayak Godse:** Hindu, 27, Store-Keeper, M.T.S.S. Depot, Kirkee, Poona.
8) **Vinayak Damodar Savarkar:** Hindu, 65, Landlord, Savarkar Sadan, Shivaji Park Road, Bombay.
9) **Dattatreya Sadashiv Parchure:** Hindu, 40, Medical Practitioner, Station Road, Gwalior.

Three more accused, from Gujarat, were named absconders:

10) **Gangadhar Sakharam Dandavate**
11) **Gangadhar Jadhav**
12) **Suryadev Sharma** and others.

THE CHARGE SHEET

The following separate categories of charges were framed against theeight accused:

a) Nathuram Vinayak Godse, Narayan D. Apte, Vishnu Ramkrishna Karkare, Madanlal K. Pahwa, Shankar Kistayya, Gopal V Godse, Vinayak Damodar Savarkar and Dattatreya S. Parchure were charged under Section 120-B.I.P.C. (conspiracy) read with Section 302 I.P.C. 9 murder).
b) Nathuram V. Godse, Narayan Apte, Karkare, Madanlal, Shankar Kistayya and Gopal Godse were also charged under Section 19(D), Indian Arms Act, and Section 19(D), Indian Arms Act read with Section 109 and 114 I.P.C., Section 19(F), Indian Arms Act, and Section 19(F) Indian Arms Act read with Section 114 I.P.C., 4(B), Explosive Substances Act, read with Section 6 of the said Act; Section 5 of the Explosive Substances Act; and Section 5 of the Explosive Substances Act read with Section 6 of the said Act.
c) Madanlal was separately charged under Section 3 of the Explosive Substances Act. Nathuram Godse, Apte, Karkare, Shankar Kistayya and Gopal Godse were also charged under Section 3 of the Explosive Substances Act, read with Section 6 of the said Act.
d) Nathuram Godse, Apte, Karkare, Madanlal, Shankar Kistayya, Gopal Godse and V.D. Savarkar were further charged under Section 115 I.P.C. read with Section 302 I.P.C.
e) Nathuram Godse and Apte were also charged under Section 19(C) of the Indian Arms Act.
f) Nathuram Godse, Apte and Dattatreya Parchure were further charged under Section 19(C) of the Indian Arms Act, read with Section 114 I.PC.
g) Nathuram Godse was separately charged under Section 19(F) of the Indian Arms Act.
h) Apte and Karkare were charged under Section 19(F) of the Indian Arms Act, read with Section 114 I.PC.
i) Apte and Karkare were further charged Section 302 I.P.C. for the murder of Gandhi.

j) Apte and Karkare were further charged under Section 302 I.P.C. (murder), read with Section 114 I.P.C. (abetment by presence).
k) Madanlal, Shankar Kistayya, Gopal Godse, Vinayak Savarkar and Dattatreya Parchure were also charged under Section 302 I.P.C., read with Section 109 I.P.C.

In the spirit of conducting a fair trial, the accused were also offered legal aid. The Union government provided them with all facilities. Savarkar sent a personal plea to senior advocate L.B. Bhopatkar, requesting him to take up his defence. Savarkar said he trusted Bhopatkar explicitly and would feel he was in safe hands. Bhopatkar could not refuse the plea of an old friend and agreed to personally appear for Savarkar. Being the senior-most advocate of the defence team, he was chosen to head the team of advocates defending the various accused. The Working Committee of the Maharashtra region Hindu Mahasabha formed a Legal Aid Committee and instituted a legal aid fund. The Defence Committee was headed by Bhopatkar, with Rambhau Mandalik as convenor and G.V. Ketkar as treasurer. The committee began work on 2 May 1948. On 6 June it met once again in Poona and an All India Defence Committee was formed with twelve members. The committee requested Dr. Jayakar to defend Savarkar, but the former refused. The Defence Committee also appealed to the Bombay provincial government to pardon or parole Advocate Vasudev Balwant Gogate who was imprisoned in the Yervada Jail as Karkare had requested for him. The provincial government turned down the request.

The Defence Committee formed two sub-committees which were entrusted with the work of making arrangements for the transportation and accommodation needs of the defence counsels. The members comprised Joglekar of Chalisgaon, Babarao Kale andV.K. Mahendale of Barsi.

The following is a list of members of the All India Defence Committee:
1) L.B. Bhopatkar, President
2) Lala Narayan Dutt, Treasurer, 13 Barakhamba Road, New Delhi
3) G.V Ketkar (Tilak's grandson), Treasurer, Kesari Office, Poona
4) Rambhau Mandalik, Convenor
5) Jamunadas Mehta
6) Devendrakumar Mukherjee
7) Captain Keshavchandra
8) Panchanathan
9) Ganapati Aiyer

10) Lakshmishankar Verma
11)Dr. L.B. Paranjape, Nagpur
12)R.A. Kanitkar, Buldhana

Preparations for the trial began in earnest. The historic Red Fort was once again the focus of attention of the entire world. A room measuring a hundred feet by twenty-three feet on the top floor of a twin wing, stone building was selected to house the special court. The building had previously served as the principal camp of the British Military Police. An eight feet high barbed wire fence was erected surrounding the building. Two manned gates served as entry and exit points to the building. Barracks were built close by to house the accused. Reinforced iron doors and window grills were brought from the Delhi Central Jail and installed in the doors and windows of the cells. A raised wooden platform served as the seat of the judge and the court's reporter. Three wooden benches placed on the right side of the room constituted the dock, for the accused. The witness stand was to the left. Two hundred chairs were placed in the room to accommodate press reporters and special pass holders, who wished to watch the proceedings. Chambers were provided in rooms along the corridors on both sides of the courtroom. The judge's chambers, court reporter's room, chambers for the defence and prosecution lawyers, police officer's room and a canteen were located here. The pressroom was equipped with two telephones.

On the ground floor a big hall was reserved for the Bombay Police. Next to it was the room for the female witnesses. The advocate general of Bombay state and his assistants were given an adjoining room. All other police personnel and witnesses were accommodated in a room in the adjoining wing. The court's registrar issued a notification on 19 May, which stated that only those people who held a valid entry pass would be allowed to enter the court premises.

On 24 May, Godse, Savarkar and the other accused were brought to Delhi from Bombay by different planes, accompanied by a large contingent of the Bombay Police. They were directly driven from the airport to their cells in the Red Fort, which had been converted into a maximum security prison for the duration of the trial.

The Bombay Public Security Measures Act of 1947, also known as the 'Goonda Act', and some of its sections, which pertained to special courts,

were extended to apply to Delhi to ensure a speedy trial. The Act was instituted in 1947 to enable the speedy trial of those accused in the communal riots that had erupted in the Bombay province. The Fifth Part of this act deals with the rules for constituting Special Courts. The sections were:

Section 10: The government can institute a Special Court in any part of the Union after duly publishing a notification in the Government Gazette.

Section 11: The government can appoint any high court or any circuit court judge having a minimum of two years' experience, to head such a court.

Section 12: By issuing Special Orders the government can ask the presiding judge of such special courts to take up special trials.

Section 13—1-2: Even if the matter has not been referred to the circuit court by lower courts the special court can take up cases assigned to it. the court is permitted to note only pertinent portions of the statements of witnesses. If after consultation with the accused the court decides that a witness is not required to testify, it can refuse to call such a witness. If the presiding judge feels that it is not necessary to the dispensation of justice he can, for any other reasons refuse, to adjourn the proceedings of the case.

Section 14: Apart from these two sub sections and those covered by the sections from 10 to 20 any other Penal Codes that are not contrary will be applicable to the special court. The court will be recognised as a circuit court. If the presiding judge so wishes, the statement of any witness will be recorded by a single person commission.

Section 15: Anyone accused of attempted murder may be sentenced to death by hanging and those accused of murder by stabbing may be sentenced to death by hanging or life imprisonment.

Section 17: The special judge is empowered to award any punishment prescribed by the law. In case of a fine being imposed the court may issue warrants to impound, confiscate and sell any/all movable immovable assets of the accused to raise the fine.

Section 18: A person sentenced by the special court may appeal to a higher court within fifteen days. In dealing with such appeals the high court can ask for any/all documents pertaining to the trial and will have privileges of other appeal courts, but no court will have any powers to transfer the case from this special court to any other circuit court or to pass orders

affecting the work of this special court. No court will be able to interfere in whatever way with the working of this special court.

Section 20: No jury or assessor will be appointed for the case before this special court.

By passing an ordinance the government introduced some amendments to the Bombay Public Security Measures Act. The amendment empowered the special judge, hearing the trial before the special court, to grant a conditional pardon to any person directly or indirectly involved with the case and record their statements. The condition was that such a person would confess to everything he or she knew about the conspiracy and about those who were involved in it.

THE FIRST THREE PRELIMINARY HEARINGS

Finally, four months after Gandhi's murder, legal proceedings in the much awaited trial began on 27 May. The first three hearings on 27 May, 3 June and 14 June 1948, dealt with preliminary procedures.

The first day's proceedings did not reflect the kind of atmosphere, reverence, decorum and importance one would have expected in such a high-profile case. The loudspeaker system installed in the court for the benefit of the visitors and press was so bad that on the first day the reporters were reduced to mere spectators; no one could hear what was being said either by the judge or by the lawyers. The proceedings were being conducted in a very informal manner. At one time, ten to twelve lawyers from both sides crowded around Judge Atmacharan and began speaking all at once. Since the courtroom was longish, twenty-four feet wide and a hundred feet long, it looked more like a passageway. It became impossible for those who were positioned at the extreme end of the court to comprehend the proceedings.

On a request, Judge Atmacharan allowed the photographers to take photographs of the court as well as of the accused. A movie camera used during the proceedings shows some of the accused chatting and smiling among themselves, a very tense, gloomy and frail Savarkar and the murderer Nathuram Godse with a very somber expression on his face. Apte and the others merrily posed for the photographers. Photographs of the first day were widely published all over India and abroad. Photographing the accused and publishing their photographs in the press could have

jeopardised the identification proceedings, but this did not seem to concern anyone.

The continuous movements of drinking water servers compounded the chaos. With earthen pots balanced on their heads and metal glasses in hand, the servers constantly moved around the courtroom, serving the thirsty. The May heat was also adding to the 'heat' of the case being heard. But the trial did not seem to arouse the curiosity of the people of India, who had thronged to Gandhi's funeral in their millions just a few months back. On the first day, apart from about a hundred members of the fifth estate, there were almost no members of the general public in the courtroom. No commoners or VIPs, not a single 'political heir' of Gandhi, nor any 'Gandhians', seemed to be concerned about the proceedings. The surroundings of the Red Fort were also deserted, apart from the cordon thrown around the entry and exit points by 250-300 uniformed police and plainclothes policemen.

On the first day, the court worked for only two hours, from 10 am till noon. The accused were brought into the barracks, housing the courtroom, at 9 am and brought into the courtroom at 9.50 am, ten minutes before the proceedings began. None of the accused was manacled or handcuffed. Nathuram was the first to enter the dock. Nathuram, wearing a pyjama and long sleeved shirt, occupied a spot in the centre of the bench in the first row. Apte and Karkare sat on either side of him on the front bench; Karkare was dressed in a silk shirt and dhoti. Apte and Gopal Godse were dressed like Nathuram. Savarkar, Kistayya and Parchure were wearing black topis, a traditional Maharashtrian Brahmin headgear, also a part of the Hindu Mahasabha, RSS uniform. Badge, Gopal Godse and Madanlal Pahwa entered next and occupied the bench in the second row. The bench in the last row was occupied by Kistayya, Savarkar and Parchure; it was a coincidence, but all those occupying the last bench on the first day of the trial would be acquitted.

Bhopatkar informed the court that Savarkar was frail and keeping indifferent health and so requested that a comfortable, cushioned, chair be provided for his client. The court immediately ordered one to be brought in. Savarkar sat on this chair, outside the dock, for the duration of the case. This also effectively separated him from the other accused. The strategy for Savarkar's defence, employed by Bhopatkar, was to separate him from the

other accused and use every ploy to strengthen his argument that Savarkar was not involved in the murder or the conspiracy in any manner.

After the photo session, the counsel for the prosecution, Daftary, read out the chargesheet the police had filed against all the accused. The charges were murder, attempt to murder, conspiracy to murder, assisting in murder, possessing illegal weapons and possessing and transporting explosives, etc. Next the court asked the accused if adequate arrangements had been made for their defence. The accused were offered government assistance if they desired. Godse and six of the accused informed the court that they would arrange for their defence with the help of Bhopatkar. Madanlal and Badge informed the court that they would not be requiring the services of a lawyer. Initially, Kistayya had requested the government to arrange for his defence. But after hesitating and dithering for some time he also informed the court that he would arrange for his defence through Bhopatkar, but he would change his mind once again.

Apart from Savarkar and Nathuram, all the others were seen smiling and joking with one another. A pensive Savarkar intently listened to the proceedings. Nathuram did not interact with any of the accused. Senior journalist Dr. Krushnalal Shridharani, who was present in court that day, described the two thus: 'Nathuram Godse is the main protagonist in this drama. He is thin and bears a very intense and serious demeanour. He was wearing a dhoti and kurta. He looked fresh and clean, because he had availed of a shave and haircut the previous day. His chin is a reflection of his firm resolve and his nose is as sharp as a hawk's beak. There are dark circles under his small and beady eyes due to the prolonged incarceration. He spoke lucidly and his tone and behaviour did not reflect any regret or remorse. The second actor in this sordid drama was old Savarkar. He is so old and infirm that he had to be brought into court on an armchair. [This description varies from the court diary of another Hindi reporter whose daily record of the happening in the court was later published by Gyanmandal Limited of Benaras titled *Gandhi Hatyakand,* Gandhi Murder Conspiracy]. This was very astonishing. This brave patriot had accomplished many valorous deeds; at one time he was revered in every home. Today he stands in the dock amongst the accused, prosecuted by the first Government of Independent India. People plumge to such depths from dizzying heights in the course of their lives. Savarkar looked astonished'.

A situation developed in court with regards to the languages spoken and understood by the accused. Badge and Karkare informed the court that they could speak and understand only Marathi. Kistayya said that he spoke and understood only Telugu. Bhopatkar translated the court's questions into Marathi, while a Telugu speaking press reporter translated for Kistayya.

After the reading of the charge sheet, Bhopatkar, counsel for Savarkar, told the court that according to the warrant proceedings of Section 21 of the Penal Code, initially on the basis of primary investigations, the charges should be proven and the matter should be entrusted to a circuit court, and only then would the proceedings begin. The judge informed him that, according to the provisions in Chapter 23 of the Penal Code, the trial was being conducted after the promulgation of a special law. Bhopatkar asked the court to suspend the hearing for two months, to allow the defence time for preparation. Judge Atmacharan denied the request but agreed to suspend hearings till 14 June.

THE SECOND HEARING, 3 JUNE

On the second day, the court functioned only for an hour and a few minutes. It enquired about the facilities provided to the accused and the arrangements for their defence and decided that the daily proceedings would commence from 22 June. Madanlal and Karkare, who were full of life and mirth, were today appearing worried and downcast. Nathuram, who had remained stoic and serious on the first day, was today relatively cheerful. The day's proceedings were initiated by Nathuram. Speaking in fluent English he complained that they were being treated like 'C' Class prisoners. He alleged that they were not given water for washing for two to three days despite repeated requests. But he admitted that he was expecting, and was prepared for, much harsher treatment and displayed surprise at the civility shown to them. Reiterating that he did not wish to ask for favours, he demanded that those facilities which were guaranteed to prisoners under jail rules should be provided to them. Except for Badge all the other accused supported Nathuram's demand. This was a very loud and clear signal to all in the courtroom that Badge had struck a deal and was cooperating with the police and court. Speculation was rife that some of the accused were confessing to save themselves; Gopal Godse and Parchure were branded as the most likely 'stool pigeons', the other weak link was thought to be Madanlal Pahwa.

Responding to the request for better facilities by the accused, Pettigara, a member of the prosecution counsel, informed the court that they had no objections to the demands made by the accused. They only requested the court to ensure that the accused were not permitted to meet or confer with anyone or with each other, and not be allowed to receive outside food to prevent them from being poisoned. They were also not allowed to shave and were to use the services of the prison barber.

Nathuram inquired from the court whether they were under police custody or judicial custody. The court passed an order that henceforth they were to be treated as 'B' class or special class prisoners, and receive all facilities entitled. Apte complained that the police had confiscated some money and personal items from them at the time of their arrests and he requested that it be handed back to him. The court asked him to put in a written application to the jail superintendent. The court allowed the accused to wear their own clothes, get additional food items prepared in the prison according to their tastes and allowed them to receive letters, order newspapers, books and magazines. Bhopatkar requested the court to allow the defence advocates to freely meet the accused in jail. The court declared that a summary of the statements of 150 witnesses of the prosecution had been given to the defence. Pettigara informed the court that the defence would call upon five or six more witnesses; a summary of their statements would be given to the defence at an appropriate time. Pettigara requested the court to write to the presidency magistrate of Bombay, to send a Marathi and a Telugu translator to serve the court. He also requested the court to procure certain witness statements and investigation records from Bombay and Gwalior. It was also decided that the court's proceedings would be conducted and recorded in English. The statements of the witnesses would be written in the language spoken by the witnesses, despite the provision under the Special Courts Act which allowed for only a summery of the statement being recorded.

Judge Atmacharan asked Bhopatkar to submit a list of the defence lawyers. Bhopatkar asked for a week's time but Atmacharan responded that under the provisions of the law he would not provide any extension. However, he added that he would consider the plea to begin court's proceedings from 21 June instead of 14 June. Pettigara informed the court that, since Mountbatten was leaving India on 21 June 1948, the police were

likely to be busy with his security arrangements. The date for the hearing was then scheduled for 22 June 1948.

On the first day of the trial, Madanlal had refused the services of a lawyer, but he now wanted Bhopatkar to fight his case. Kistayya, too, wanted the court to appoint a competent lawyer to defend him.

HEARING ON 14 JUNE

The final hearing for the preliminary proceedings took place on 14 June 1948 and lasted for barely thirty minutes. Bhopatkar submitted the final list of defence lawyers and assured the court that all of them would be present on 22 June. He added that Barrister Oak would appear for Nathuram and Maniyar would defend Gopal Godse. Copies of the brief summary of the prosecution witnesses' statements were handed over to the accused. Kistayya and Karkare, who did not understand English, were provided with translations.

A BRIEF INTRODUCTION OF THE ACCUSED

1. **Nathuram Vinayak Godse*:** 36, Hindu Brahmin, bachelor; principal accused. He was arrested immediately after he murdered Gandhi from the scene of the crime. Holds a diploma in tailoring; worked as a tailor in Poona. Became acquainted with V.D. Savarkar in 1937. He travelled with Savarkar on a countrywide tour as his personal secretary. He is a former member of the Rashtriya Swayamsevak Sangh (RSS). Started publishing a Marathi daily, *Agranee,* from Poona in 1944. On the closure of *Agranee* became the editor of *Hindu Rashtra.*
2. **Narayan Dattatreya Apte:** 35, B.Sc., B.T., Hindu Brahmin, Married. Worked as a lecturer in Ahmednagar. He started a Rifle Club in Ahmednagar.
3. **Vishnu Ramkrishna Karkare:** 35, Hindu, married. Also from Ahmednagar, runs a hotel there.
4. **Digambar Ramchandra Badge:** 35, Hindu, married. Runs a weapons shop 'Shastra Bhandar', selling weapons like knives, swords and dagger, for which a licence is not required; also weaves a metal vest capable of protecting its wearer from stabbing. Has now turned Approver.

5. **Madanlal Kashmirilal Pahwa:** 23, approximately. Hindu, Bachelor. Refugee from West Punjab. Ten days before the murder of Gandhiji, a bomb exploded fifty yards from where Gandhiji sat. Madanlal was arrested immediately after the explosion from near the spot where the bomb exploded; he was identified as the bomber by an eyewitness. On being frisked, after the explosion, a hand grenade was discovered on his person. After his arrest he kept saying 'Who Phir Ayega', 'He will come back.'
6. **Shankar Kistayya:** Hindu, Bachelor from Sholapur. Servant and shop assistant working for Badge.
7. **Gopal Vinayak Godse: 32,** Hindu Brahmin, married. Younger brother of Nathuram Godse. Served in the Colonial Army during the World War.
8. **Vinayak Damodar Savarkar.** 65, Hindu Brahmin, Married. Former president of the Hindu Mahasabha. Did many heroic deeds as a young man. Started revolutionary activities to overthrow the British colonial administration as a student of the Poona College. Became a barrister from London, but was disbarred. Was arrested for being an accomplice in a conspiracy to wage war against the king-emperor. The matter became famous as the 'Nasik Conspiracy'. While being transported by ship to India, he wriggled out of a porthole, while the ship was berthed at Marseilles Port. He reached the shore after swimming in the sea for a mile. Was rearrested immediately. A dispute arose between France and England over the manner of his arrest on French sovereign soil. The matter was finally referred to the International Court at Hague. Eventually he was brought to India. He was tried and sentenced to serve a life sentence in the Cellular Jail at Port Blair on the penal island of Andaman. The imprisonment was notoriously referred to as 'Kala Pani', black water imprisonment. He served a sentence of fourteen years there. On submitting an apology and an assurance of desisting from participating in anti-British activities, Savarkar was brought to the Indian mainland and confined to the coastal town of Ratnagiri, in the Konkan province of south-west Maharashtra, and kept under house arrest. In 1937 when the first Congress provincial government was elected in the Bombay province, their first act was to grant an unconditional pardon to Savarkar. On his release Savarkar joined the Hindu Mahasabha and was elected its president. He is

famous as a great writer of Marathi literature, a reformist and a social worker.

9. **Dr. Dattatreya Sadashiv Parchure:** 49, Hindu Brahmin, married. A doctor practicing naturopathy and homoeopathy in Gwalior. The president of the Gwalior Hindu Mahasabha, and the dictator of the Hindu Rashtra Sena, a Hindu fanatic commando group.

THE SPECIAL COURT

The court was presided over by Judge H. Atmacharan ICS, and the following lawyers:

1) Chandra Kishan Daftary, Advocate General, Bombay Province, Chief Prosecutor.
2) N.K. Pettigara, Bombay.
3) N.G. Vyavharkar, Bombay.
4) Raibahadur Jwalaprasad, Punjab.
5) Pandit Thakurdas*, Delhi.

Jamshed Dorabjee Nagarvala 'Jimmy', deputy commissioner of police, Bombay was the special investigating officer.

DEFENCE LAWYERS

The list of lawyers comprised principal defence counsel, and counsel for Savarkar, L.B. Bhopatkar, Poona; for Nathuram Godse, Barrister VV. Oak, from Bombay, (while later, under the section 'Recording of Evidence' it is stated that Nathuram argued his own case); for Narayan Apte, K.H. Mengle, and G.K. Dua from Bombay; for Vishnu Karkare, Advocate Narhar Daji Dange and G.K. Dua from Bombay; Badge turned approver and was granted a judicial pardon; for Madanlal Pahwa, Puranchandra Bannerji; for Shankar Kistayya, Hansraj R. Mehta, from the Frontier province, appointed by the government; for Gopal Godse, Mohanlal B. Maniyar from Bombay; for V.D. Savarkar, L.B. Bhopatkar from Poona; Barrister Jamnadas Mehta, Bombay; Ganpat Rai, Delhi; Kunjbihari L. Bhopatkar, Poona, *(Gandhi Murder Trial* adds three more names to Savarkar's defence team, B. Bannerjee, J.P. Mitter and N.P Aiyar. Later on in *Gandhi Murder Trial* under 'Recording of Evidence' it claims that PR. Das of Patna argued on behalf of Savarkar). For Parchure, PL. Inamdar, Gwalior. *(Gandhi Murder Trial* again adds S.N. Jauhari to Parchure's defence team. P.L. Inamdar in

his book *The Red Fort Trial* claims that he was the only lawyer appearing for Parchure).

RECORDING OF EVIDENCE

The recording of the prosecution evidence began on 24 June 1948 and continued till 6 November. One hundred and forty-nine witnesses were examined and their evidence ran into 720 pages. The prosecution brought on record 404 documentary and 80 material exhibits. Recording the statements of the accused began on 8 November and continued till 22 November comprising 106 pages. All the accused except Shankar Kistayya filed written statements, which ran into 297 pages. The defence, through the prosecution witnesses, brought on record 119 documentary exhibits. The hearing of defence arguments began on 1 December 1948 and continued till 30 December.

THE TRIAL BEGINS: BADGE TURNS APPROVER

Four months and three weeks after Gandhi's murder, the daily hearings began. The proceedings began with the presiding judge asking all the accused if they had been able to appoint or were provided with efficient defence counsels. He then went on to read the six-page long chargesheet. The Marathi version was read out by M.A. Navalkar, a translator working for the Bombay Presidency magistrate's court, while the Telugu translation was read out by M. Kamalamma of Bellary. A Punjabi and Hindustani translator, M.R. Handa was also appointed. Every question and its reply had to be interpreted in English, Gujarati, Hindustani, Marathi, Punjabi and Telugu. This process prolonged the duration of the proceedings. Two Cabinet ministers, Gadgil, minister for minerals and mines; and Barrister Ambedkar, the minister for law, his wife and Home Secretary R.N. Bannerjee were present in court that day, besides J.P. Hathisingh and Mrs. B.R. Ayengar.

Although Badge had been granted a pardon, it was decided to keep him in protective custody for the duration of the trial. After reading the chargesheet Atmacharan declared that Badge was now a 'witness for the prosecution', adding that he had been granted a conditional pardon. He ordered that Badge be immediately removed from among the accused and placed in protective custody. A lot of hostility was directed towards Badge

and the strategy of the defence lawyers also underwent a change. Although it was suspected that one of the accused had turned an approver and was providing the police with all the information on which they could build the prosecution's case against the accused, there was only speculation about the identity of the 'rat', Gopal Godse, Parchure and Madanlal Pahwa were assumed to be the most likely 'turncoats' by the defence. As soon as Badge was declared an approver, the defence team concentrated all their efforts on discrediting his testimony and proving that he was a habitual and incorrigible liar and his testimony was unreliable.

Atmacharan then asked the accused if they had understood the charges filed against them and if so, would they plead guilty as charged or did they wish that the court conduct a trial to prove their guilt or establish their innocence. All the eight accused claimed they were innocent. Nathuram Godse told the court—'Try me'. Initially Kistayya pleaded guilty, but after the charges were explained to him in Telugu he said he would confess all that he knew, and requested the court to conduct a trial to establish his innocence. Savarkar pleaded 'innocent' and so did Apte, Gopal Godse and Parchure. Madanlal submitted a written statement to the court, which said: 'I consider myself innocent. There was no conspiracy to cause any harm to Mahatma Gandhi. I was never a part of any such conspiracy. The incident of 20 January was only to display the anger sweeping the nation due to the policy of Muslim appeasement practiced by Mahatma Gandhi in those days. There was nothing more than this in it. No one else was involved in that incident apart from me'.

CHARGES FRAMED

The full details of the charges framed against the accused based on the prosecution's version of the story are in Appendix I. The accused pleaded 'not guilty' and 'claimed to be tried' with Parchure further pleading that he was a subject of Gwalior state and not amenable to the jurisdiction of the court.

RECORDING THE STATEMENTS OF THE PROSECUTIONWITNESSES

24 June 1948: Before the proceedings began for the day, Atmacharan, Daftary and Bhopatkar along with Apte, Karkare, Madanlal and Gopal

Godse visited Birla House. Atmacharan minutely inspected the entire prayer ground and the room where Gandhi spent for last five months of his life. At 2 pm the court began examining and recording the statements of the prosecution's witnesses. With the consent of the prosecution and defence it was agreed that Atmacharan would himself record the statements of the witnesses in English. There were very few visitors that day.

The first witness to be examined was a thirty-year-old Hindu Brahmin, head constable from Gwalior state, Ishwardutt Mulchand. Although he understood and spoke English he preferred to speak to the court in Hindi. He had been with the Gwalior state police for the past nine years, and for the last five years he had been posted with the CID under Inspector Mandlik. The prosecution examined him to prove to the court that three of the accused had been declared absconders by the court. The defence tried to prove through their arguments that during the investigations Gwalior state and British India were treated as separate identities, and, therefore, no Indian court had jurisdiction to try Parchure without first getting him extradited, but the court rejected the defences' line of questioning. On behalf of the prosecution Daftary questioned the witness, and from the defence, first Dange and then Parchure's counsel Inamdar questioned him.

After a few questions by Inamdar the witness was excused. The former submitted cuttings from the Gwalior state gazette showing that no notice declaring Gangadhar Dandavate, Gangadhar Jadhav and Suryadev Sharma 'absconders' was published.

After the tea break, Madanlal's lawyer Bannerjee submitted a request to the court that the prosecution should first prove the conspiracy charge and then the murder charge against his client. He also asked that the prosecution deal with the events in a chronological order and present witnesses right from 1944 onwards. The court refused to accept his arguments. 'If they fail to convince me about the existence of any conspiracy, I will stop their testimony', was the final comment by Judge Atmacharan.

The next witness was Ramlal Dutt, the general manager of Sharif Hindu Hotel situated at Fatehpuri in Delhi. He was the fifty-five-year old son of Gokulchand Mehta, a refugee from Pakistan. He told the court that three people had stayed in Room 2 of the hotel from 17-19 January 1948. He gave the court all the details including the names the three had checked in with. On being ordered by the court, Ramlal identified Madanlal and Karkare. The prosecution then brought a man named Shantaram Atmaram

Amchekar into the courtroom, and he was identified as the third person. Ramlal then pointed to Gopal Godse identifying him as the visitor who came to the hotel. The court ordered Ramlal to remove his spectacles while identifying the accused, which he did.

After a few more questions, the court was adjourned for the day.

25 June 1948: Inamdar, counsel for Parchure, had submitted a request to the court. Atmacharan replied, 'You have requested that the charge of conspiracy be explained in greater detail. I feel that the charges have been framed with utmost clarity.... I will not give any more clarifications....' Ramlal's questioning continued. Daftary wanted to prove that two of the accused had lived in the hotel prior to the failed attempt on 20 January and that a third accused had visited them. Karkare's counsel Dange questioned Ramlal and attempted to discredit his statement. There were quite a few heated exchanges between the two with Dange asking him why entry number forty-seven in the hotel register had been changed. Ramlal explained that the alterations had been done by his partner since the names of the guests had been entered incorrectly.

After Bannerjee finished questioning Ramlal, Gopal Godse said he wanted to brief his counsel, Maniyar, before he began questioning Ramlal. Maniyar asked Ramlal if he had mentioned in his statement given to the police that Gopal Godse had visited Madanlal at Sharif Hotel. Ramlal replied that he could identify Gopal.

Maniyar: 'Did the police write this in their report?'

At this point Atmacharan intervened, 'How can Ramlal answer that? It is not necessary that the police write down a statement verbatim.'

Maniyar: 'When did Gopal Godse come? Was there anybody with you when Gopal Godse came to visit Madanlal and Vyas?'

Ramlal: 'Gopal Godse came to meet Madanlal in the afternoon. My partner was with me.'

Maniyar: 'I say that you are lying when you claim that Gopal Godse came to your hotel.'

Ramlal: 'If you say that Gopal V Godse did not come to the hotel to visit Madanlal and Vyas, it is a lie.' After this Ramlal was excused.

The court then called in Shantiprakash, Ramlal's partner, who also identified Karkare and then Gopal Godse as the visitor. When Dange questioned him, Shantiprakash replied that he spent very little time at the

hotel and mainly looked after bill recovery and accounts. He said he remembered 'Vyas' as the two chatted for nearly half an hour on the 19th.

Before the court adjourned for tea that day, the electricity failed twelve times in half an hour.

The proceedings continued with Ramsinh, son of Mansinh, being questioned. Ramsinh was a bearer and khansama at the Sharif hotel and said he was responsible for six rooms there. He identified Karkare and Madanlal. The next witness was thirty-year-old Amchekar, who had stayed at the Sharif Hotel with Karkare and Madanlal. Amchekar was a resident of Hirloke in Sawantwadi of the Bombay province. He was an important witnesses. He was a refugee from Karachi, where he had been posted as a government employee. He informed the court that he had boarded the third class compartment of the Peshawar Express leaving Bombay at 9.15 pm on 15 January 1948 and had met Madanlal and Karkare on the train. He had stayed with them at the Sharif Hotel from the evening of the 17th till the 19th. Karkare had told him during the journey that he was a Hindu Mahasabha activist and was going to Delhi for the Mahasabha's work.

As per Amchekar's testimony: 'I am a government employee working at Karachi. After Partition, I reached Bombay on 12 January. I stayed at the Worli refugee camp where I took a ticket for Delhi and came to get my government job transferred from Pakistan to India. When I woke up next morning on the train, I learnt that the train was running four to five hours behind schedule. I was worried, because I had planned to finish my work in Delhi in one day and return. I did not know where I would stay, I was worried because I could not speak or understand any language other than Marathi. Just then I heard one of my co-passengers speaking in Marathi, I realised that he must be from my province and would be able to help me. I asked him where he was going. He introduced himself as Karkare and said that he was going to Delhi.' Pointing to Karkare, Amchekar said, 'He is the person. I introduced myself to Karkare and asked if he would help me with arranging accommodation in Delhi. Karkare assured me that he would get me a place to stay at the Birla Mandir.'

Amchekar, identifying Madanlal, said he realised the two were together only when they alighted at the station. He then went on to relate the events which have already been mentioned earlier.

Before the court adjourned for the day, Nathuram requested that Badge and Kistayya should not be allowed to interact either with each other or

with the other accused. His plea was accepted.

28 June 1948: Kanu Gandhi, Gandhi's grand-nephew, was present in court that day, the first time a member of the Gandhi family had made an appearance. The recording of Amchekar's statement continued. He mentioned that there was a third person in the hotel room and on being asked he pointed to Gopal Godse. He further said that he had not spoken to Godse and that all three were present in the room when he finally left at 5 pm. He then went on to give a detailed account of his association with the accused. He said, 'I was taken from my village to Bombay by the police to identify the accused. I saw the accused in the presence of the chief presidency magistrate. I had not seen these people before that.'

Nathuram got up and claimed that the identification of the accused in court was not correct. Their photographs had appeared in newspapers and films of the trial were being shown in many places. Under these circumstances, identifying the accused in court had become easy. The court overruled his objection.

Dange began to cross-examine Amchekar in Marathi to which the judge objected saying that he would like to disallow certain questions. Amchekar further stated that he was aware of the Hindu Mahasabha but did not posses an in-depth knowledge of its philosophy and ideology. 'I did not know that Karkare was working among the refugees too. I also did not know that he owns many hotels in Ahmednagar where refugees are given free food. My acquaintance with Karkare was nominal.'

After a small break, Madanlal's counsel informed the court that his client was unwell. The court allowed him to rest for a while in the adjoining room. An inspector guarding the accused informed the court that a doctor had been summoned. On a request by Daftary the court ordered an inspector to bring the approver, Badge, from jail. The next witness was Hiranandani, who worked as a clerk in the Transfer Bureau under the Home department. He said that his bureau accepted the applications of refugees wanting to get their jobs in Pakistan transferred to India. 'I sign the applications once they are completely filled by the applicants. Application No. 5286 was filled by a person called Shantaram Amchekar. There is a corresponding entry in the register too,' he said. He was not questioned by the defence. Ramchandra and Narayan Singh, who both worked in Marina Hotel in Delhi were called in next, and both of them identified Nathuram and Apte, who had checked in as 'S. Deshpande' and 'M. Deshpande'. In the meanwhile, Madanlal was

brought back to court. The prosecution then produced some clothes as exhibits, a few of them bore the laundry mark 'NVG'.

29 June 1948: The first witness to be examined that day was Mehar Singh a sepoy in the Forest department of the Government of India. He said that on the day when a bomb exploded in Gandhi's prayer meeting, he was patrolling in his sector with his colleagues Pyarelal and Kaptan. At about 11 am they saw four people near the panchkui (five wells) footbridge area. On questioning them they said they were visitors and were sightseeing. Their presence made him a bit suspicious, as they had been confronted about three furlongs behind the Birla Mandir and the Hindu Mahasabha Bhavan, a place which was not frequented by tourists. Daftary then called for Badge. This was the first time he was being brought into court after he had turned approver. Mehar Singh then identified Shankar Kistayya, Gopal V Godse, Narayan D. Apte and Digambar R. Badge as the ones he had confronted.

SEARCH FOR A BIBLE

Next on the witness stand was C. Pacheko, the manager of Marina Hotel. Daftary asked for a Bible so Pacheko could take his oath. It was discovered that there was no Bible available. Nathuram said that he had seen a copy in the prison and a police officer was despatched to fetch it holding up the court's proceedings for some time. In the meanwhile, two bearers, Govindram and Kelaram, who worked in Marina Hotel were examined. After a tea-break, Pacheko was called to the stand. After taking the oath Pacheko recounted the events of the evening of 20 January. Pointing to Madanlal, Pacheko identified him as the man who was brought handcuffed to the hotel and then also identified Nathuram and Apte.

30 June 1948: Surjeet Singh, a taxi driver from Delhi was the first to be examined that day, his testimony lasted for four hours. Atmacharan inspected the car in which the accused had travelled to Birla House on the 20th. The unique feature of the blue-green Ford was that the car had a carrier. It was the only car of its kind in Delhi at that time. Pointing to Apte, Surjeet Singh said, 'He finalised everything with me. They agreed to pay me Rs 12/- for the round trip. Three people sat behind and the dadhi wala, bearded man, Badge sat in front with me.' He identified Gopal Godse, Apte and Kistayya as the ones who had sat behind. Singh then provided the court with all the details. He added, 'I remember the day Gandhiji was murdered. Three to four days after the murder I drove in my taxi to the Tughlaq Road

Police Station, to finish some pending work I had with the police. Two Sikh officers called me and inquired if I had driven anyone to the Birla House on the 20th. I gave a statement to the police on that day. Four to five days later I was taken to the Delhi District Jail where I identified Nathuram and some days later I identified Apte. I was then taken to Bombay where I identified Gopal Godse and Badge.'

After a break, the judge informed the court that he had received a request from Shivnarayan that he wished to appear as defence counsel for Parchure.

1 July 1948: The proceedings began by recording Sulochana Devi's statement. She said she clearly remembered where and when the bomb explosion took place at Birla House, as her house was a mere hundred feet away from the spot. At the time of the explosion, she was barely standing fourteen feet away from the spot of the explosion. After the explosion, she pointed out to the man who had placed the bomb and lit it. The policemen immediately caught hold of the person. Sulochana identified Madanlal. She also identified Badge, Apte and Nathuram Godse as the people who had come in the car that day to Birla House. Daftary then took Sulochana outside the court and asked her to identify the car, which she was able to do accurately. On being cross-examined by Oak, she replied, 'Generally no tonga or car comes and halts at the circle at the rear of Birla House. The police recorded my statement only a few minutes after the bomb explosion. I did not know for certain if the wire or thread that I saw being lighted with the matchstick was connected to the bomb. I had identified Godse in the first identification parade at the Delhi District Jail. There were about fifteen people in the parade. All were dressed in ordinary clothes. Godse had something tied around his head. I don't remember if it was a bandage or a piece of cloth or a towel wrapped around his head.' Replying to a question asked by Mengle, she said that she had observed the car for almost twenty to twenty-five minutes and that the passengers had taken almost five minutes to get out of it. Replying to Bannerjee, she said, 'Even when I pointed him to Phulsinh and he and the police constable rushed towards him, he did not try to run away.'

The next witness to be examined was Choturam the car cleaner. He said, 'When the blast occurred I was sitting a little distance outside my quarter,' adding that he knew Phulsinh, who worked as a guard at the Birla House. 'One room separates Phulsinh's quarter from mine. There is an open ground behind Birla House, which is adjacent to the rear gate. I had seen the dark

green car driving up and stopping at the roundabout. It was parked by the left side of the roundabout and there was a luggage carrier on its roof. When the car stopped, I saw four people getting out of it. They got out of the left side and then entered the compound. Here they were met by three or four other men and after talking for some time they entered the prayer ground in groups of two and three. They inspected my quarters from all sides, twice or thrice. After this three of the men went into the prayer ground and one man came and started talking to me. He said he wanted to take Gandhi's photograph through the ventilator grill. I told him to do so from the front. But he wasn't carrying a camera on him. Finally, I asked him "Camera kahan hai?" (where is your camera?) He was carrying a black cloth bag filled with something quite heavy. But there was no camera in it. The man ran towards the car as if he was going to fetch his camera. Then he went out of the gate. I had seen a man placing something on the wall and then igniting it. I grabbed the hand of the man who exploded the bomb. Afterwards the man was sent to the police picket outside the Birla House. I had gone there myself. An officer frisked him and found a bomb in his coat pocket. Some soldiers unscrewed the bomb and defused it. Then the bomb was placed in a tin and the tin was wrapped in a cloth. They sealed the packet with the Birla House seal.' He then stepped down from the witness stand and identified Madanlal, Karkare, Apte and Nathuram. He said he had remained on the spot of the murder for twenty to thirty minutes after the tragedy. 'I found some of the spent bullets, two empty shells and a cloth that was draped around the shoulders. These things were scattered around the place where Mahatma Gandhi fell.' The exhibits were brought in and Choturam identified them. Five or six days after Gandhi's murder Choturam had identified Nathuram as the man he had seen after the bomb blast, after observing him carefully for five to six minutes.

2 July 1948: Choturam's cross-examination continued. He said he used to attend Gandhi's prayer meetings regularly but on 20 January he could not. Pointing to Karkare, he said, 'He had tried to bribe me with five or ten rupees to allow him to take a picture of Gandhi from my room, this made me suspicious about his intentions.' He said he wasn't able to inform the authorities about his suspicions before the bomb exploded.

After a short break, when the court's proceedings began, Bannerjee requested that he be allowed to confer with any of the accused apart from

his client Madanlal if he felt it was necessary. Bhopatkar too requested for the same. They were told to submit their request in writing.

As the bank accounts of all the accused had been frozen, Nathuram and Apte made a joint plea to the court to order the Presidency Industrial Bank of Poona not to stop either them or their agents from operating their accounts. Atmacharan asked them to write, through their defence counsels, directly to the bank. The next witness to be examined was Bhursinh, a chowkidar at Birla House who narrated to the court all that he had witnessed.

5 July 1948: The court resumed hearings with Bhursinh's cross-examination. Next to be questioned was KM. Sahni, a magistrate from Karnal and a refugee officer. The witness informed the court that he was present at the prayer grounds on 20 January at exactly 5 pm. As his wife had died in a car accident on 10 January, he said he was in deep shock, and added that 'Gandhiji had requested me to meet him before I proceeded back to Karnal to join duty.' In his statement, he said that he was seated exactly in front of Gandhi, hardly about four or five steps away. Chandragupt Vidyalankar was with him, too. At a quarter past five there was a terrible explosion. Gandhi would have long begun his prayers but the loud speakers had failed.

Replying to a question by Mengle, he said, 'I had visited Birla House many a times and had the good fortune of being able to talk to Mahatma Gandhi on many occasions. Of all the prayer meetings I attended, only in one were the ayatas from the Koran recited in the beginning.' Sahni went on to say that on 20th, he had filed the report in his private capacity. 'I was with Gandhiji till almost 6.30 that evening. The prayers continued even after the bomb exploded, there was a little disturbance. No one was injured in the explosion. Madanlal was not brought to Mahatma Gandhi in my presence. Mahatma Gandhi did not express a desire to meet Madanlal then. I did not speak to Gandhiji about the bomb explosion.' The next day the court recorded the statement of the manager of the Frontier Hindu Hotel, Ramprakash, after which Chamanlal Grover, a police witness during an identification parade and recovery of evidence, was summoned.

7 July 1948: The court cross-examined S.C. Rai, from Agra, working as an explosive substances expert with the Government of India's Explosives Factory. He described to the court how he had received certain explosive substances for analyses from the Delhi CID via the office of the chief

inspector of explosives, Government of India on 9 February 1948. He described the unexploded hand grenades as extremely lethal explosives. They were British-issued anti-personnel grenades. The other packet contained an unexploded gun cotton slab, which he described as extremely lethal when used with shrapnel.

The next two witnesses were police photographer Kunvar Singh and the administrator of the Telephone Revenue Department of New Delhi, P.R. Kailash. The latter informed the court that his office kept records of all the trunkcalls made from Delhi. A note, which showed that on 19 January a trunkcall had been made from the Delhi telephone number 8024 to Bombay number 60201 at 9.20 am was presented in court. It was a person to person 'urgent' call for Damle or Kasiya*. The Delhi number was registered in the name of the honorary office secretary of the Hindu Mahasabha on Reading Road. Since neither of the two persons requested for were available, the call was cancelled with a charge of two rupees and seventy-five paise. The bill was paid on 19 May. L.B. Bhopatkar, for the first time in the trial, rose to cross-examine the witness. The witness informed the court that the chit was prepared by the operator on duty at the Bombay exchange, at the time the call was cancelled.

Bhopatkar examined the chit and then, handing it over to the judge, he said, 'Kindly look at the bottom of the chit something has been cancelled out and overwritten.' The court examined the chit and found that a word 'Dalai' had been cancelled out and Demello overwritten, the second name written appeared to be 'Kasiya'.

The next on the witness stand was the ticket clerk working at the Old Delhi station, Lala Badrinath, who was brought to prove that Nathuram and Apte had bought tickets for Kanpur on the night of 20 January 1948. He told the court that during his duty hours from 4 pm to midnight on 20 January 1948 he had sold only three first class tickets to Kanpur: ticket nos. 614A, 614B and 615.

The next to take the stand was draughtsman N.N. Kapoor, who had drawn two layout maps of Birla House and the prayer ground on orders from the police.

8 July 1948: The first witness was the booking clerk of the Delhi junction station, Sunderlal, who identified Nathuram and Apte and said that the two had stayed at the retiring room on 29 January 1948, and then identified Karkare as one who had joined the other two. Jannu mochi, the

shoeshine boy's testimony was vital as he confirmed that three men had occupied Room 6 of the Delhi junction station's retiring rooms. He pointed to Nathuram, Apte and Karkare as the three men.

9 July 1948: Eight witnesses were examined that day. Madanlal's counsel made a plea that the court should accept the book 'Delhi Diaries' and give it legal validity as a standard reference for establishing the movements, discourses and writings of Gandhi during his last stay in Delhi. All the witnesses gave eyewitness accounts of Gandhi's murder on the 30th. The first to be called was Sgt. Ramchandra of the Royal Indian Air Force. He said he had been transferred from Ambala to Delhi and had been a regular at Gandhi's prayer meetings. He identified Madanlal as the man he had caught on 20 January after the bomb explosion.

The next witness was sub-inspector Amarnath of the Tughlaq Road Police Station, who had been in-charge of the security at Birla House during the prayer meetings. He said on the day Gandhi was murdered he had been standing behind him. 'I heard one bullet being fired and I saw smoke emanating. I leapt at the murderer immediately and caught hold of him by his neck and shoulders. But by the time I caught him he had already fired two more bullets. Sgt. Devraj grabbed the murderer's wrist and disarmed him. We found that the pistol had four more bullets.' He then identified Nathuram Vinayak Godse as the man who had shot and murdered Gandhi.

Nandlal Mehta, a member of Gandhi's entourage, was questioned next. He said that after Gandhi had been shot he supported him and placed his head in Abhabehn's lap. 'Gandhiji breathed his last within a couple of minutes. While bathing his body, I discovered that there were three gunshot wounds on his upper torso. I signed the FIR prepared by the police.' Head Constable Kabul Singh was called next who told the court about the quantities of arms, ammunition and explosives recovered by the police from the various accused. Ratan Singh, a constable, and assistant sub-inspector Dhaluram from the Tughlaq Road Police Station, were called in next. The latter had carried certain parcels to the Phillour Chemical Testing Laboratory on 2 February 1948. The next two witnesses were Assistant Sub- Inspector Parshuram and Head Constable Dharam Singh. Singh had been on duty at Birla House on the 30th and identified Nathuram as the man who had fired at Gandhi.

12 July 1948: The first issue taken up by the court was Madanlal's application about the Delhi Diaries. They contained a detailed description

of Gandhi's stay in Delhi from September 1947 to January 1948 and an entire collection of articles written by him and transcripts of his lectures. The public prosecutor raised an objection. The court ruled that such an application should be made when the relevant defence witnesses were being examined.

The first witness to be examined was the superintendent and civil surgeon of Irwin Hospital, Lt. Col. Dr. P.N. Taneja. He had examined Gandhi's body at 8.30 am on 31st January at Birla House. He informed the court that, 'Gandhiji died due to the shock from internal haemorrhaging caused by gunshot wounds due to bullets fired from a pistol, from close range.' He added that, 'Gandhiji's body had also been examined by Dr. Jivraj Mehta before me. I saw five wounds on his body. There was a deep wound on the right side of his chest that had caused a depression oval in shape. There were two wounds on the left side. The entry wounds were l/4"xl/6" and on his back the corresponding exit wounds were l/3"xl/4" in dimension. The two wounds on his back had been caused when two of the bullets pierced his body and came out of his back.' As per instructions by Nathuram, the defence did not cross-examine the witness.

WITNESSES FROM GWALIOR

Jagdish Prasad Goel stated that he had known Parchure since 1941 and identified him. He said that Parchure was the supremo of the Hindu Rashtra Sena, a band of fanatic Hindu youth. 'I was ordered to join the Sena by Parchure and used to attend the parade every morning. I also know Savarkar's secretary Damle who had visited Gwalior in 1941. The next time I saw Apte was in Parchure's dispensary on 28 January 1948.' He pointed towards Nathuram and said he too was present at Parchure's home that day. He then went on to give details about the goings-on at Parchure's dispensary. On being cross-examined by Inamdar, the witness stated, 'I had absconded initially. I was arrested in April from Jhansi.'

The third witness for the day, Sardarilal Verma, a supervisor in the Delhi Trunk Exchange, was called to the stand. He testified about the calls that had been made on 19 January 1948. As mentioned earlier, the number was of the Hindu Mahasabha*. The witness stated that the trunk call had not been cancelled because the caller had been charged twenty-five percent of the call fees. The fees according to the ticket was two rupees and twelve

annas, but the fee was mentioned as one rupee and fifteen annas. The witness said he was unaware.

Kulwant Kaur, a Sikh lady operator of the Delhi Telephone Exchange was called to the stand. She was on duty at the switchboard at the time the call was attempted on 19 January 1948. She informed the court that the person who had been called was not available. At that time a new operator was on duty in the inquiry section Miss. G. Phurness, who by mistake wrote 'cancelled' on the ticket. On being cross-examined by Bhopatkar, Kaur said that she did not know the name of the operator on duty in Bombay at that time. The last to take the witness stand was the twenty-six-year old Anglo Indian G. Phurness. 'On realising my mistake I scratched out the word and signed under it. Also by mistake I wrote "12" and then tried to erase it. I don't remember who had scratched out the word "Cancelled".

13 July 1948: The first witness was the fifty-year-old tonga driver from Gwalior, Gariba, who looked very apprehensive. In his testimony, he said, 'Two to three days before the murder I had carried two people who wanted to go to Parchure's house from Gwalior station in my tonga at 11.30 pm. The reins of my horse snapped on the way and so I sent them on in another tonga.' He identified both Nathuram and Apte. Five or six days after Gandhi's murder, Gariba had met Sub-Inspector Mandlik at the Gwalior station. 'Mandlik told me that the allegation that the two people who had stayed at Parchure's home were involved in the conspiracy to murder Mahatma Gandhi was a mere rumour. I told Mandlik that I had taken the two people in question half way to Parchure's home. Two hours later I was called to the police station. They did not record my statement at Gwalior station. Mandlik took me with him to Bombay, I stayed there with him.' The other tonga driver also identified Nathuram Godse and Narayan Apte.

THREE WITNESSES: RAILWAY EMPLOYEES WORKING ATKANPUR RAILWAY STATION

The next to take the witness stand were three employees working at the Kanpur railway station, inspection clerks Shivpyarelal Dikshit and A.B. Saxena, and Angelina Colestone, who was in charge of cleaning the railway retiring room. All three had seen Nathuram and Apte at the Kanpur station on 21 January 1948. Raghupatirao Handa, another witness who worked as a guide at the Delhi railway station, was present in the first class waiting

room when the police seized some luggage from there on the evening of the 30th.

Inamdar, counsel for Parchure, was determined to prove that the proceedings against his client were illegal since his client was a citizen of Gwalior state. He claimed that all evidence, verbal or written, submitted by the prosecution to prove his client's guilt was also illegal, hence the proceedings against his client should be quashed. He further argued that since his client's confession was recorded by a civil judge and not a magistrate, that too should be rejected. Daftary argued that he should be allowed to prove that Parchure had made a confession in Gwalior in the presence of a magistrate and called upon Magistrate First Class Saiyad Ali Mazahar Ali Rizvi to the witness stand.

14 July 1948: Parchure's wife, Susheelabai was present in court that day. She had met her husband in jail the previous day.

In an effort to delay the court's proceedings, Bannerjee submitted a plea raising an objection to Rizvi's appearance during the trial. This was a very surprising move since the testimony of Rizvi would only be used to prove Parchure's involvement in the conspiracy; it would not affect either Madanlal's fate or that of the other accused. The next witness to take the stand was Manzar Ali who said, 'I remember that I had gone to the home of the accused Parchure on 27 February 1948. Police Superintendent Khijr Muhammad and CID Inspector Mandlik accompanied me. We first went to the Park Hotel near the railway station. A police officer brought Apte down. Apte told us.that he could show us the wall in Dr. Parchure's home which had been used for target practice. There were policemen from Bombay and Gwalior in the posse that accompanied me to Dr. Parchure's home. We went from the Park Hotel to Dr. Parchure's home in a special car. The car had dark tinted window glasses which were rolled up.' Replying to the objections raised by the defence to the testimony of Manzar Ali, the prosecution counsel said that Ali's testimony would enable the court to understand the long-standing relationship between Apte and Parchure.

The second witness that day was twenty-two-year-old Madhukar Keshav Kale, a clerk working for the Gwalior state administration. In his statement he said, 'I have been associated with the Hindu Rashtra Sena since 1940-41. I have known Parchure for the past five to seven years. Before May 1947 I used to visit Parchure's home regularly. After that I stopped as I had taken up a government job. Parchure held an important position in the Sena. I

know Dandavate too, he was an office-bearer of the Sena. Prior to Gandhi's murder, I met Parchure once or twice during the month of January. On 28 January while going to withdraw money from the bank, I went to Parchure's home at around 12.30 in the afternoon. When I entered, I found him sitting with three other persons. One of them was Dandavate. I later found out that the other two were Nathuram Godse and Narayan Apte.' He added that the two were unsuccessfully trying to press the triggers of a couple of pistols, and when they failed to do so, they asked Dandavate to get them better pistols. Thereafter, they went into the yard, and practised firing the pistol.

Kale continued, 'I left Parchure's home at about 1.30 pm, and after withdrawing money from the bank, I went home. I did not meet Parchure on the 29th. At around six in the evening of 30 January I met Parchure in front of the Maratha Boarding House. By then I had heard the news of Mahatma Gandhi's murder on the radio news bulletin. I told Parchure about Gandhiji's death. Parchure asked me if Gandhiji had died naturally or had been murdered. I told Parchure that I did not know the details. Then I accompanied Parchure to his shop in the market. A person called Madhukar Khire also came to his shop. After this a lot of rumours started flying around Gwalior city about the murder of Mahatma Gandhi. I had not heard the name of the murderer till then. I asked Parchure to down the shutter of his dispensary due to the death of the Mahatma. Parchure agreed and after closing down his dispensary, I returned home.' He said he learnt the following day that it was Nathuram who had killed Gandhi. 'On the 1st, I narrated the entire incident to my mother and also my friends, Patwardhan and Pawar. 'he former pressurised me to give all the information to the Gwalior government. Patwardhan took me in his car to Home minister Ghule.' Kale then identified Parchure.

15 July 1948: A twenty-year-old student from Gwalior, M.B.Khire, was called to the witness stand. Khire said that he had knownParchure for the past five to six years. On hearing the news about Gandhi's murder, he went to Parchure's dispensary and told him thatit would not be right to continue to oppose his policy and philosophy hence forth. 'Parchure got very annoyed and asked me that since I was so impressed by Gandhiji's thought, was I thinking of sharing my wife with Gandhiji? I asked Parchure what kind of person could havemurdered Mahatma Gandhi. He said he must be someone like us. It hen thought of going home, but then changed my mind and went along with Parchure to the Rajput Boarding House. Parchure met

Ramdayal Singh and said, "I have completed my job, now you complete your part of the assignment".' As a parting shot Khire added that Home minister Ghule did not ask Bhave, Patwardhan or him any questions and neither did he note down Kale's statement.

After a small break Ramdayal Singh, a thirty-seven-year-old zamindar and president of the Rajput Seva Sangh, was called to testify. He said he learnt of the murder on the 30th itself and decided to organise a condolence meeting at the boarding house. Singh said, 'Parchure came up to me and said—"At last a good deed has been done. An enemy of Hindu dharma has been killed. The man who murdered Gandhiji, is our own man. The man who exploded a bomb a few days back was also our man. It is true, the gun used to murder Gandhiji was sent from Gwalior. The man who murdered Gandhiji, came from South India to Gwalior and then went on to Delhi".' He continued, 'I did not react to the inflammatory talk, but my friend Jagunnath Singh shouted at Parchure—"Shut up and get lost from here". Then Parchure and his companions went away.'

Next to take the stand was Jagunnath Singh, a forest contractor operating from Gwalior. He too, corroborated Ramdayal Singh's statement. Jagunnath pointed at Savarkar and called him Parchure. On returning to the witness stand he realised his mistake and said, 'Oh, Dr. Parchure is the one sitting behind that person.'

16 July 1948: The first two witnesses today were Lambardar Gugan Singh of the Delhi Police and Sub-Inspector Biharilal from the Parliament Street Police Station. The latter had seized one bedding and two bags from the Delhi railway station. The court sat for only fifty minutes that day.

19 July 1948: The prosecution called on Magistrate First Class R.B. Atal of Gwalior. On taking the stand, he said, 'On 17th February Superintendent Thorat Patil brought me a letter. I was told that the letter was written by Inspector Balakrishnan of the CID. The letter requested that I record the statement of Dr. D.S. Parchure, who was being held by the military at Gwalior Fort. I received the letter on the evening of 17 January. I went to the Fort accompanied by Thorat Patil, Khijr Muhammad and a couple of other police officers. When we went to the cell where the accused was held, we were accompanied by the Fort Commandant Major Chatrey. Our car was stopped near the barrack where Parchure was being held. We climbed up the staircase and walked to the cell. The major entered the cell first and then we stepped in one by one. I then asked Parchure if he wanted

to make a confessional statement. Parchure nodded his head and said, "Yes." ' Atal then went on to give details of the meeting as has been narrated in an earlier chapter.

After reading out Parchure's confessional statement, the witness continued, 'I carried Parchure's confession with me when I returned home. Two or three days later I sealed the confession in an envelope and sealed and stamped it with my personal seal. I then deposited the envelope in the Imperial Bank of India. On 6 April 1948 I handed it over to secretary for external and political affairs of Gwalior state.' Atal then identified Parchure.

Parchure's case was very interesting. The National Defence Council and Committee established by the Hindu Mahasabha-RSS combine refused to handle his defence. Parchure had publicly boasted about his involvement in Gandhi's murder, but when he had to face the police, he began confessing! When the National Defence Council was established rumours had already gained ground that there was someone who was providing all the details, which were enough even to implicate Savarkar. When Parchure's wife approached the National Defence Council it refused to take on Parchure's defence saying that his case was indefensible and due to his confessional statement, he had signed his own death warrant. Finally, his wife had to plead with Inamdar, a lawyer from Gwalior. After initial hesitation, he agreed. In a book he wrote after the trial, *The Story of The Red Fort Trial*, Inamdar has mentioned in detail how he snatched victory from the jaws of defeat for his client. Parchure's acquittal by the high court in the Gandhi murder case was not based on his innocence but on the cunning shenanigans of his lawyer.

PARCHURE'S CONFESSIONAL STATEMENT

Then the witness read out the confessional statement of Dr. Dattatreya Sadashiv Parchure of Gwalior, accused number nine. Parchure in his statement had said, 'For making this confessional statement, the police has not threatened me nor have they promised me any reward. I am making this statement of confession absolutely voluntarily, of my own free will.

'I have known Nathuram Vinayak Godse personally since 1941, but I had heard about Godse in 1939 itself. Godse accompanied by Apte came to my home at about 11 o'clock on the night of 27 January 1948. Godse told me that he had come on a very important mission. "I am going to perform a terrible deed before 2 February. I am going to murder Mahatma Gandhi".

'Godse possessed a revolver, but he wished to procure a more modern and reliable hand gun. I told him that under no circumstances would I give him my licensed pistol, but I promised to get him another. Next morning, I sent my son Neelkanth and servant Rupa to fetch Dandavate. When I returned home in the afternoon of 28th January I saw that Godse, Apte and Dandavate were trying out a country-made revolver. They went into the courtyard to test it. I did not accompany them.

'Late in the evening Dandavate came back to my home. He had an automatic pistol and approximately eleven or twelve bullets with him. I do not know where he got the pistol. He told us that the price of the pistol was Rs. 500. Apte gave Dandavate Rs. 300 and promised to pay the balance later. That night all three of them left in a tonga.

'On 29 January I told my brother that I had helped Godse and Apte procure a pistol with which they planned to murder Gandhiji. On hearing this, my brother was shocked. He asked me why I had involved myself in such a deed. On the evening of 30 January 1948, when I heard the news about the murder of Mahatma Gandhi, I ordered sweetmeats for Re. 1 and distributed it amongst my family members and friends. I also celebrated the murder of Mahatma Gandhi by distributing sweets to members of the Hindu Rashtra Sena.

'I don't know if Godse and Apte kept the revolver, they had brought to Gwalior with themselves or gave it to Dandavate in exchange for the automatic pistol. I also owned a stengun. I had left it with a friend of mine in Murar.'

TESTIMONY OF BADGE, THE APPROVER

On 20 July the prosecution called upon the approver Digambar Ramchandra Badge to the witness stand. Badge was initially an accused but he later became, as he was referred to, 'maafi cha sakshidar', an 'approver' and was granted a conditional pardon. For the entire text of Badge's statement see Appendix IV.

21 July 1948: Madanlal's counsel, Bannerjee, pleaded with the court to arrange for the transcripts of the public speeches made by Gandhi during his final stay in Delhi. Badge had said during his testimony that the plan was to kill Suhrawardy along with Gandhi, and hence Bannerje said it was necessary to establish the link between the two. Inamdar requested the court that the two armed policemen standing behind Badge should be

immediately removed as it could intimidate him. The prosecution replied that there were two reasons for their presence: one was to ensure that he did not escape, and the other was to protect him from being killed or abducted. Badge gave his entire confession and then identified all the accused.

In his testimony Badge further informed the court that on being arrested on 31 January 1948, he had shown the police the homes of Harbans Singh, Deshmukh and the MLA Kharat.

BADGE'S CROSS-EXAMINATION

Replying to a question from Bhopatkar, Badge said, 'We only received funds for our "Delhi Yatra" from one place in Kurla which was from Kale. From another source we got Rs. 400 but that was due to my personal relations and to cover my individual expenses. I am aware of the fact that the programmes of the Hindu Mahasabha are decided by the All India Committee of the Hindu Mahasabha and the Working Committee is obliged to implement the programme. The last convention of the Hindu Mahasabha was held at Gorakhpur in December 1946. Savarkar did not attend the convention as in the past three or four years his health has deteriorated and he does not actively participate in the functioning of the Hindu Mahasabha.' He added that it was not true that Savarkar had not stepped out of his house since the past three years as he used to attend small private meetings and social meetings at his home or close-by. 'He is a well-known writer and poet of Marathi literature. I believe it to be true that there is no other Marathi or English orator as good as Savarkar in the entire land. I don't only consider him a leader of the Hindus. To me he is God.'

23 July 1948: On being questioned by Bhopatkar, Badge said, 'The policy of the Hindu Mahasabha is to bring about a reunification of divided India. Cabinet Minister, Dr. Shyamaprasad Mukherjee must have taken permission from Savarkar before joining the Cabinet. I am sure he must have consulted with the president of the All India Hindu Mahasabha, Bhopatkar before accepting the ministry. I am aware that after Partition, the Mahasabha has pursued a policy of working in close cooperation with the Nehru-led Congress ministry. At the annual convention of the provincial Hindu Mahasabha of Maharashtra, Bhopatkar had moved a resolution seeking to extend cooperation to the Nehru-led government. Godse and Apte had strongly opposed the resolution. Bhopatkar had said that the Mahasabha should be disbanded and emerge as a political party. When

Bhopatkar made this suggestion Nathuram Godse had become extremely agitated and rushed towards Bhopatkar brandishing a dagger. Apte had also supported Godse. Badge claimed that the convention had taken place in December 1946. (Bhopatkar corrected him saying Badge was forgetting the year.) Apte and Godse had an independent outlook. Yes, sometimes they did consult with the Mahasabha leadership. Many a times Godse and Apte used to criticise the policies of the Mahasabha in their publications, first in *Dainik Agranee,* and then in *HinduRashtra.*

'I asked Namjoshi to put in a word with G.V. Ketkar to give me a job. Ketkar gave me the job of collecting donations for the Hindu Sanghatan Nidhee and for the Hindu Anaath Ashram. These funds were used for all Hindus, immaterial of which political ideology they subscribed to. In 1942 I sold off some furniture and other family heirlooms and with a capital of Rs. 75–Rs. 100, I established the Shastra Bhandar. I employed Kistayya. I used to buy and sell weapons from M.T. Kulkarni who owns a weapons shop named Hindu Bhandar.

'Whenever there were Hindu-Muslim clashes and riots in Bombay, Dixit Maharaj would place orders for large quantities of weapons, ammunition and explosives. I used to supply licensed and unlicensed weapons like pistols, revolvers, gun cotton bombs and other explosives to Dixit Maharaj. He did not possess the requisite licenses, but that never prevented him from accepting delivery'. Badge then went on to give information about Dada Maharaj. He added, 'I know MLA Kharat, but I don't know Honaji Ganpat. Kharat was a Congress Socialist and I know him since he got married in 1946. I gave two packets of explosives to Kharat on the evening of 16 January 1948, and told him not to give them to anyone but the members of the Hyderabad state Congress. Kharat used to know Babasahab Paranjape, Deshmukh, Sheshrao and Nayak among the active workers of the Hyderabad state Congress. I had instructed Kharat that he should hand over the packets to any one of the four and accept whatever amount they paid. The price was decided beforehand and they knew it. When I returned to Poona from Delhi on 22 January, I did not meet Kharat. I was arrested on 31st January, a day after Gandhiji's murder. During the interim nine days, I did not meet any worker of the Hyderabad Congress either. I bumped into G.V. Ketkar one afternoon. I was terrified of being arrested as I knew that Madanlal had been arrested. I realised that if I went to Kharat's home, he

would hand over both the packets of explosives, and the police would implicate me. 'On 31 January a very angry

'On 31 January a very angry and violent mob attacked my house and shop. They torched my shop. All my goods and account books were destroyed in the fire. An angry mob attacked the homes and offices of Hindu Mahasabha leaders and those who were believed to have been involved in Gandhi's murder.'*

23 July 1948: Atmacharan announced that he had received an anonymous letter threatening to kill him. Daftary and Bannerjee too, claimed that they had received death threats. The judge ruled that he would not order the curtailment or relaxing of any security procedures.

Badge's** counsel requested that his questioning be postponed as Badge had a cold and fever. Atmacharan denied the request and said he would be given a chair, but the proceedings would not be suspended.

Badge continued, 'On 15 January when I accompanied Apte to Dixit Maharaj's home, Apte informed me that his group had collected arms, ammunition and explosives worth Rs. 40,000 and they were taking them to Kashmir. When Karkare and Madanlal left, Dixit Maharaj's home with the "stuff", Apte told me that we were going on an important mission. Two days later Apte told Dixit Maharaj that we were going to Kashmir. On the morning of 20 January, when I met Apte at the Hindu Mahasabha Bhavan in Delhi, I did not ask for any money. But I showed him a statement of accounts for the Rs. 350 he had given me. I had not informed my servant Shankar about the plan to kill Gandhiji till all of us had assembled at Marina Hotel on the afternoon of 20 January. After this, weapons were distributed to all of us. It was then that I told Shankar that I was going to hurl a grenade at a man and then I would shoot him. "You must do exactly the same to the person as I do." Then I told him that the man we were going to kill was an old man and his name was "Gandhi". On the 20th, I did not see Suhrawardy present at the prayer meeting. I escaped from Birla House within a few minutes of the bomb explosion, and so I cannot say what happened thereafter. I heard the explosion, I saw Madanlal being caught. As I have a very remarkable beard and long hair I am easily recognisable. I realised that if I did anything that evening I would be caught. So I handed over the hand grenade I was carrying to Shankar, and ordered him not to do anything till I signalled to him. If Nathuram, Apte, Karkare or Gopal Godse or anyone of them had thrown the grenades they were carrying first, I

would have signalled Shankar to throw the grenades he was carrying at Gandhiji. But as soon as Madanlal exploded the gun cotton bomb, the four rushed out of the prayer ground, got into the taxi and ran away. I realised their intentions. They had planned to implicate Madanlal, Shankar and me, while they would get away scot-free.'

27 July 1948: Answering a question by Bhopatkar, Badge said, 'To distinguish the hand grenades I supply from the others, I always mark mine with a red "X" and paste a red tape around them. I have sold approximately fifty to sixty hand grenades till now. On returning from Delhi, I cleaned up my entire house. I did not wish to be caught with any incriminating evidence. I did not even contact my old friends. From 23rd to 31st January I remained confined in my house. The next day I was arrested and kept in the Central Jail at Budhwaar Peth. From there I was moved to the Cantonment Police Station. Shankar was not arrested along with me. I saw Shankar in the Bombay prison during the second week of February. I was transferred to the prison in Bombay on 4 February and remained incarcerated there until I was brought to Delhi on 24 May. I was granted an official pardon at 5.30 pm on 21 June 1948.'

He continued to say that he was kept almost in solitary confinement in the Bombay branch of the CID till the recording of his statement was over. Replying to Mengle's questions, Badge stated, 'In 1947, I opened a Veer Savarkar Vachanalaya, Library, in Poona. I used to order Marathi publications and periodicals, which subscribed to the Mahasabha's school of thought. I was aware of the philosophy propounded by the *Dainik Agranee*, which was later renamed *HinduRashtra*. It vehemently opposed partition and believed that the policy of appeasing Muslims and non-violence adopted by the Congress were detrimental for the nation.'

28 July 1948: The Law minister Dr. Ambedkar and his wife were present in court for some time. Mengle asked Badge, 'Didn't Apte tell you that by accompanying him to Delhi you would be able to not only participate in the demonstration but also sell arms and explosives for very high prices to the refugees and thus make a huge profit?' Badge replied in the negative. Replying to another question he said that on the morning of 20 January, when Apte and he reconnoitred Birla House, no one had either reprimanded or confronted them. He said, 'I know about Congress's non-cooperation during the Second World War. I know of the Maharashtra Vyayam Mandal of Poona where recruitment of officers for the armed

forces was done. The government financially supported the organisation and would recruit all those recommended by the Mandal. Bhopatkar was its founder. I used to be known as a Hindu rashtra sevak. Karkare is from Ahmednagar and owns Deccan Guest House. Hindu refugees are given free lodging and boarding there. Karkare had gone to Noakhali in East Bengal to serve the Hindu refugees there and carried one hundred daggers with him, which he had purchased from me. On 9 January, Karkare did not tell me who Madanlal, Chopra and Omprakash were. I was later told that Madanlal is an adventurous, brave and enthusiastic young man. It was only after his arrest on 20 January that I learnt that he was a refugee from newspaper reports.'

29 July 1948: 'On 24 May when I was brought to Delhi I was not kept in detention at Red Fort. Around 8th February I was taken to Poona, there I took a police party to the homes of Kharat, Nagmode and Shelar. On 27 May I was produced in court. In the beginning of June, I had sought permission to meet J.D. Nagarvala, deputy commissioner of police, Bombay. He was the chief police prosecutor (Nagarvala was the chief investigating officer). I told him that I wished to confess everything. He said that I would have to testify as a witness. But I emphasised on making a confessional statement. When I was in the custody of the Bombay police, my wife Rukmani came to visit me in May. I told her "Bring all my promissory notes, IOUs and important letters." Since she was unlettered, she needed someone who would read out the letters so that she could decide which ones were important. After fifteen days she returned carrying the letters. I don't know whether the letter, displayed in court as exhibit B.90, was one brought by my wife or not. (This was a letter written to Badge by Karkare in Marathi, its translation in English is as follows: "The person who has come to you is a trustworthy gentleman. I could not come yesterday due to great difficulties. I am specially sending this man. You must have received Rs. 400 by telegraphic money-order. The copies of the books which you have bought may be sent with this person, who has been instructed in regard to the arrangements to be made for the payment. Every time ten articles are to be handed over, and for each article Rs. 15 should be charged. I will come on 2nd and settle my accounts. Do not worry about money. The gentleman from Bombay must have arrived. Confusion arose because the telegram from you was received one day late.") I had not given this letter to the police.'

Shankar's counsel Mehta began his cross-examination of Badge at ten minutes past three in the afternoon. Badge said, 'I took part in the conspiracy to murder Mahatma Gandhi willingly and intentionally. I knew the consequences of my actions and was willing to face them. I was anxious due to the riots that broke out in Poona, otherwise I am not at all bothered about my future. After I was arrested, my brother Narayan came to see me only once in Bombay, accompanied by my wife and family. I was committed to taking care of myself and serving my country. I used to serve the Hindu cause by giving weapons free of cost to Hindus. I never thought of becoming rich by saving money. There is no one to look after my wife and children now.'

30 July 1948: It was expected that Badge's cross-examination would end that day. The court would then make him sign his testimony.

Inamdar drew the court's attention to the fact that the prosecution had produced the approver as their last witness, which had caused a lot of rumours to gain credence about his client, Gopal Godse (by then Inamdar had also started representing Gopal Godse). He said he hoped that in future they would produce their witnesses in a manner not detrimental to the interests of his client. In Hindu Mahasabha and RSS circles, speculation had gained ground that Gopal had made a confession implicating all the other accused and was considered the 'weak link'. For many years Gopal and his family faced criticism due to these assumptions.

Not being satisfied by his counsel's questioning of Badge, in a surprising move Shankar Kistayya requested the court to allow him to question Badge. He asked Badge if he had been informed of the plan to kill Gandhi. Badge said Shankar was not informed why they were in Poona, and later in Bombay or Delhi. He was told about the gang's objective while coming down the stairs of the Marina Hotel. Later, Badge identified the bag in which he had carried the revolver and hand grenade to the prayer meeting. He had stated during his cross-examination that Apte and Nathuram were independent-minded, but often sought advice from others. The 'others' he clarified as being the president of the All India Hindu Mahasabha, besides Tatayarao (Savarkar), Annarao Bhopatkar and G.V. Ketkar in the past.

31 July 1948: Recording of Badge's testimony (sixty-eight pages) and his cross-examination had taken nine days. The written statement was read out to the witness and then he was asked to sign it. On 30 January 1948, at

the time of Nathuram's arrest, Rs. 592 was recovered from him, which was today returned to him.

2 August 1948: The director of the Scientific Laboratory of East Punjab, Dr. D.N. Goyal, had been requested to do an analysis of the recovered bullets, spent shells and the revolver. He stated that the spent cartridges and bullets were from the same revolver. He was cross-examined by all the lawyers. The court asked Goyal to clarify certain points: whether the Forensic Laboratory was under the overall command of the deputy inspector general of CID; whether the laboratory was locally presided over by the principal of the Police Training School; and finally, whether the witness received his salary from the police department.

The next witness was Satyavan Bhilaji Rale, the manager of the Sea Green Hotel, at Marine Drive. He provided the court with all the details about the accused who had checked into the hotel under the names Narayanrao D. and V. Krushnaji. Rale then identified Apte. He wasn't questioned by the defence lawyers.

3 August 1948: Glamour was added to the trial when actress Shanta Bhaskar Modak, popularly known as 'Bimba' took the stand. She told the court that, she lived in Poona and had travelled to Bombay on 14th January by the Poona Express on a second class ticket. 'When I got on the train I was looking for a window seat. A gentleman occupying a window seat got up and offered me his seat. When the train started, another man came and occupied the seat next to the one who had given me his window seat. I felt as if both the men knew each other and were travelling together.' She then pointed towards Apte and Godse, and identified them as her fellow travellers. She told the court that after getting off the train at Dadar, she and her brother had given the two a lift till Savarkar Sadan. She said that since her brother lived just a short distance away it was convenient for them to drop the two accused. She said she had gone to the police station to record her statement on 12 February 1948. While she was in Poona the police had taken her to Bombay to identify the accused.

The next witness was Kashmiri Lai, partner of the Elphinstone Hotel of Bombay. His statement was very crucial. The details of the events of that day have been narrated in an earlier chapter. Narasinh Bhagji, owner of Bombay Laundry, the next witness to testify, immediately recognised Nathuram and also identified his clothes which bore the laundry mark 'NVG'. The next two witnesses, Gayaprasad Dube, manager of the

Aryapathik Ashram, Bombay, and Govind Vishwanath Malekar, a servant working in the Elphinstone Annexe Hotel, also identified the accused. The former said he had known Apte for the past year and a half as he used to stay regularly at his hotel, sometimes accompanied by his lady friend. Malekar too, effortlessly identified both Apte and Karkare.

5 August 1948: Candido Pinto, a clerk working for Apollo Hotel, Bombay, was the first to take the witness stand. His testimony against Apte and Karkare was crucial. He testified that the two had checked into the hotel under the assumed names of 'R. Vishnu' and 'N. Kashinath'. He confirmed that both of them were arrested from the hotel.

THE TESTIMONY OF PROF. JAGDISH CHANDRA JAIN

After a break for refreshments, Prof. Jagdish Chandra Jain, a resident of Shivaji Park, Bombay and a professor at Ramnarayan Ruia College, Bombay, took the stand. He spoke about his association with Madanlal Kashmirilal Pahwa, whom he had known since October 1947 and had tried, on several occasions, to get him a job. He told the court that once in the first week of January 1948, Madanlal had come to his home accompanied by a person he called 'Seth'. Madanlal had again come to him saying that he had attacked and disrupted a meeting addressed by the Congressman Raosahab Patwardhan in Ahmednagar on the orders of the 'Seth'. Patwardhan was preaching Hindu-Muslim unity, he said, adding that since the police were sympathetic to the Hindu cause, they did nothing to him, but only confiscated the dagger he was wielding. Jain added, 'Madanlal told me, "We have formed a Hindu commando group in Ahmednagar to protect the Hindus and are collecting arms and explosives for the same. Karkare Seth took me to meet Savarkar, impressed by my exploits he patted me on my back and told me to continue doing good work".' Jain told the court, 'Then Madanlal told me "we have formed a group and our plan is to murder Gandhiji. Our plan is that I will explode a bomb at the evening prayer meeting conducted by Gandhiji to create terror and chaos, taking advantage of this the other members of our group will finish him off". I tried to dissuade Madanlal, I told him not to even think of doing such terrible deeds, but he left promising to come back again. He came back to meet me one last time saying he was leaving for Delhi on an important "mission" and would meet me on his return.'

Jain added that two days later Jayprakash Narayan had come to deliver a lecture at the St. Mary's Hostel. He had thought of reporting all that Madanlal had told him, but due to the crush of the crowd around him, was only able to tell him that there was a plot to murder Gandhi in Delhi. He said that he tried to inform Sardar Patel, but was told that he had left for the airport, and he wasn't able to contact the president of the Bombay provincial Congress, S.K Patil, either. Jain added, 'I met the prime minister of Bombay Province Bal Gangadhar Kher and the Home minister Morarji Desai at 4 pm on the 21st and told them everything I knew about the conspiracy.'

5 August 1948: Jain continued, 'My first interaction with the police was in connection with this conspiracy, when they came to record my statement. Ten days after the police recorded my statement it was again recorded in the presence of a magistrate. I had read in the papers that India was holding back the Rs. 55 crores that it owed to Pakistan and was hesitant to do so because there was a fear that the money would be used to finance the illegal invasion of Kashmir. In 1942,I was arrested for participating in the Quit India movement by the colonial government. I was a Congressman then.'

9 August 1948: Bannerjee continued to cross-examine Jain. The latter said that Madanlal did not inform him about the type and quantity of weapons and explosives they had hidden in the jungles around Ahmednagar. Next, John Freitus, the assistant manager of Fredricks Hotel, Bombay, who had acted as a pancha, police witness was called in. He stated that he had signed the panchanama prepared by the police at the Apollo Hotel, situated on Landsdowne Road in Colaba, Bombay on 14 February 1948, in the presence of the accused Apte and Karkare.

THE TESTIMONY OF MAHANT SHRI KRISHNAJI MAHARAJ

The head priest of the Mata Mandir, Bombay, Mahant Shrikrishna Jivanji Maharaj, also known as Dada Maharaj, was called on next. The witness was from the genetic lineage of the founder of the Vaishnava sect Valabhacharya and had been a Congress member since 1942. He held an A Category' pilot licence which had now expired. He stated that he knew Apte and identified him. He also admitted to having met Savarkar twice, and Netaji Subhash Chandra Bose once. He said, 'I had heard that Apte was planning to blow up the Pakistan Constituent Asembly which was to meet in Delhi, so I went to meet him. I was going on a pilgrimage to Pandharpur, so I stopped on the way at Poona and inquired about Apte's address.' Apte told him that there

were two mortar launchers available in Goa for Rs. 4,000. 'I told him even if I was not able to fund the purchase of the mortars he should continue with his plans to kill Jinnah and Liaquat Ali Khan.' Pointing to Nathuram, Dada Maharaj said, 'He had accompanied Apte to my place and later I met him in Poona.'

10 August 1948: Maharaj went on to give the details of all his meetings with Godse and Apte who had demanded that he get them a revolver. 'I had lost faith in them by then, so I refused to help them any more.' Replying to a question by Bhopatkar, Maharaj said, 'On 9 August, a few days before Independence Day, I had gone to Delhi to attend the Hindu Convention presided over by Savarkar. I don't remember if a resolution declaring support to the Nehru government was passed at the convention or not. I had opposed the Nehru government, and will do so in the future till it changes its policies. In his speech at the convention, Savarakar had said that Hindus must forget their age-old differences and come together to defend their motherland against any invasion. Hindus must strengthen the hands of the government. On Janmashtami, in 1947,I had gone to visit Shri Morarji Desai, the Home minister of Bombay province, at his home in Bombay. I promised him that I would not participate in any violent action against Muslims fleeing to Pakistan or any conspiracy to slaughter Muslims who had chosen to remain in India. I did not tell the Home minister that I had asked Apte to kill Jinnah and Liaquat Ali Khan. Those two had left for Pakistan already. Gandhiji's policies were different from those of the Nehru government. Gandhiji was always opposed to the division of our motherland.

'I have studied the *Gita* and give discourses. *Swadharme nidhana shreya paradharmo bhayavaha* is mentioned in *Gita.* Here *swa*, *para* and *dharma* all have to be properly defined in the context of their usage. *Dharma* also means worship and duty. *Ahimsa* means not hurting or causing hardship to anyone by physical actions, oral abuse or even hate-filled thoughts. *Satyagraha* can also be described as passive resistance. I believe that Harijans must not be allowed to enter temples. I had gone to Noakhali after Diwali of 1946 and performed the purification of over 4,000 persons who had been polluted by being force-fed beef. I performed purification rites and brought them back into the Hindu religion. Many people complained about the atrocities committed by the Suhrawardy government. Hindus

were being subjected to a lot of violence, terror and persecution, Hindu dharma was under threat there.'

11 and 12 August 1948: As Kistayya was unwell, the court was adjourned for both days. Advocate N.H. Panchnathan submitted an application requesting to appear as a defence counsel.

13 August 1948: Lorna Bainbridge, an airhostess working for Air India International Services, identified both Nathuram and Apte as having flown on 27 January 1948 under the names B. Narayanrau and N. Vinayakrav. 'I remember them because one of them had constantly kept asking for coffee and refreshments.'

DETAILS OF THE CONSPIRACY WERE KNOWN BEFOREHAND

Ruling on an application submitted by Bhopatkar, regarding the testimony of Angad Singh, a broker from Bombay, the court ordered that it should be recorded under Section 157 of the Indian Evidence Act of 1872. He admitted to knowing Prof. J.C. Jain and Madanlal, having met the latter on 26 October 1947. 'Those days volunteers of the RSS were holding martial demonstrations at Shivaji Park. Prof. Jain said that I should help Madanlal find some work.' He then narrated the events that occurred in Jain's house on 10th or 11th January where Madanlal was also present and where he had bragged about a plot to murder Gandhi. Replying to Bhopatkar, Angad Singh said, 'I have now joined the Socialist party. Three days after the bomb explosion, I informed the socialist leaders, Ashoke Mehta and Harish that a plot had been hatched to murder Mahatma Gandhi. The police recorded my statement during the last week of February.'

16 August 1948: Before Angad Singh's cross-examination began, the court declared that it refused to accept the 'Delhi Diaries' as a recognised original source for reference for the speeches, articles and statements made by Gandhi. The first of the following two witnesses, a retired pensioner of the Imperial Bank of India's Bombay branch, Ganpatrao Bhimrao Afzulpurkar admitted to knowing Badge for the past five years as a collector of funds for the Hindu Mahasabha. The second witness, Charandas Meghji Mathuradas, was a partner in the Bombay Dyeing Mills. He too admitted to knowing Badge as they had come to him for funds.

17 August 1948: As Badge and Kistayya were unwell, the court was adjourned till 20 August.

THE TESTIMONY OF RAGHU MALI, THE MAN WHO CAUGHTNATHURAM GODSE

20 August 1948: Ragunath Naik, a gardener, mali, working at Birla House informed the court that he was present at the prayer ground the day Gandhi was murdered. He told the court about the events preceding and succeeding the shooting. He had been carrying a sickle with which he hit Nathuram on his head. On instructions from Nathuram Godse, the defence counsels did not cross-examine Raghu.

THE TESTIMONY OF DIXIT MAHARAJ

Goswami Dixit Maharaj was the younger brother of Goswami Krushnaji Maharaj, aka 'Dada Maharaj'. He said that he had been doing social work since 1939 and became active in politics from 1942. Towards the end of 1946, he purchased daggers from Badge and distributed them amongst the villagers, living on the borders of Muslim princely states within the Bombay Province, for their protection. He admitted that Apte had visited him on several occasions and they discussed the Hyderabad situation. Dixit Maharaj provided the court with many details as has been narrated in an earlier chapter. His testimony continued the following day also. He said, 'In the last week of January 1948,1 participated in a meeting on the crisis in Jaisalmer, the meeting took place at Mata Mandir. Because of my ill health, I was carried to the meeting in a recliner. Godse (Nathuram) approached me at the meeting and inquired if I had made arrangements to provide them with the requested handguns. I replied in the negative. I had a valid pistol licence in January 1948. Seven days after the murder of Mahatma Gandhi, Dada Maharaj returned from Banaras. I asked him, "Do you know this man Godse who has been arrested for murdering Mahatma Gandhi?" Dada told me about his identity.'

WEAPONS WERE CONCEALED INSIDE A TABLA AND DUGGA

Dixit Maharaj continued, 'During the August Kranti Movement, Socialist leader Achyut Patwardhan had stayed in Mata Mandir for three days, I used to live there myself. I do not agree with some of the policies and beliefs of the Hindu Mahasabha, but I agree with their philosophy of protecting Hindus and their rights.' Dixit Maharaj said that Badge used to bring the

daggers concealed in tablas and duggas because the commissioner of police of Bombay had made even the carrying of a stick illegal.

NATHURAM CROSS-EXAMINES THE WITNESS

After Dange was through with Dixit Maharaj, Nathuram requested the court to allow him to ask a few questions. Replying to a question asked by Nathuram, Dixit said, 'I have very close relations with many socialist leaders. I knew that they did not subscribe to the Hindu supremacists' ideology and to the practice of militant Hinduism. But seeing their work in Hyderabad, I had assumed that they were doing this to strengthen the hands of Hindus. I had never liked the idea of the vivisection of my motherland. I do not know if the Socialists' block within the Congress had remained neutral in the debate on the resolution accepting the division of India during the AICC's convention in Bombay.'

23 August 1948: Madanlal's counsel, Bannerjee, submitted an application in court, which said, 'On 21 August, during the crossexamination of Dixit Maharaj, certain statements alluding to my being a member of the Hindu Mahasabha were made. I wanted to make it absolutely clear, neither am I a member of the Hindu Mahasabha, nor was I ever one. I used to ponder over every happening or instance as a refugee only, not as a member of a political party.

'I was deeply hurt by the fact that Gandhiji had forced the Government of India to pay Rs. 55 crores to Pakistan. I felt that Gandhiji could hear the isolated whispers of the Muslims of Delhi. But the ears of the Father of the Nation and the "Dictator" of the Government of India were deaf to the heart wrenching cries of the millions of Hindu refugees. I exploded the bomb on 20 January, only to carry the refugees' cries to the selectively deaf ears of Gandhiji'.

THE TESTIMONY OF HOME MINISTER MORARJI DESAI

Bhopatkar submitted an application objecting to the prosecution calling on Morarji Desai to confirm the testimony of Prof. Jain under Section 157 of the Indian Evidence Act. The application claimed that, since the defence was disputing the validity of Jain's testimony, according to the said Section of the Act, and was challenging its acceptance in the Gandhi murder trial, the defence requested the court not to allow a testimony, which was being

heard only to confirm an invalid testimony. The objection was over-ruled. Desai stated, 'I am the Home minister of the Government of Bombay province. I am in charge of the Home and Revenue departments. I accept a monetary compensation for my work. All the departments of criminal investigations come under the purview of the Home ministry. I have only now come to know who Prof. Jagdish Chandra Jain is. I had seen him for the first time on 21 January 1948, at approximately 4 pm when B.G. Kher summoned me to his chambers. Jain narrated the entire tale to me. I immediately summoned Nagarvala who I met at the railway station, before I left for Ahmedabad, that night. I gave him three specific orders: One was to arrest Karkare immediately, the second was to keep a close watch on Savarkar's home and his activities and the third, was to gather maximum information about those who were involved in the conspiracy.' Desai went on to say that Patel was informed about the conspiracy on 22 January.

24 August 1948: Desai continued by saying that he did not reveal the identity of his informant to Nagarvala. 'Three or four days after Gandhiji was murdered Prof. Jain told me that now he did not foresee any danger and was willing to cooperate with the investigation openly. I then introduced him to Nagarvala.' Desai told Bhopatkar that he gave his statement to the police while attending his office in the Assembly Bhavan. Replying to a question by Mengle, Desai said, 'I have been a Congressman for the past eighteen years. I know the Congress stalwarts Sardar Vallabhbhai Patel, Pandit Jawaharlal Nehru, Dr. Rajendra Prasad, Rajkumari Amrit Kaur, Maulana Abul Kalam Azad and Dr. Ambedkar. I had read in the newspapers that Gandhiji had begun a fast from 13 January. I respect Gandhiji and so was very worried about his health and well-being.' Desai added that the government of Bombay province was very concerned about the welfare of the refugees and he could not recollect receiving any specific proposal from Karkare to settle 5,000 refugees in Ahmednagar.' Replying to a question asked by Oak, he replied, 'I have been a member of the AICC since the past seventeen years. In 1942 I had attended both the conventions of the AICC which had taken place in Bombay and Allahabad. I do not recollect if C. Rajagopalachari had placed a proposal granting Muslims the right of self-determination. I remember that due to differences, Rajagopalachari had to quit the Congress. He was in favour of arriving at an understanding with the Muslims politicians, (but) Congress was not prepared to accept this. I was elected to the Provincial Assembly of

Bombay from the Surat Rural Hindu Constituency. I believe the Hindu Mahasabha is a communal organisation and so is the Muslim League.' He added that he was present at the AICC convention in 1947 where the partition proposal of 3 June was discussed. There was no general discontent on the partition plan nor was there any joy over its adoption. It was a fait accompli. Desai's cross-examination continued the next day also. He said, 'Many of the socialists did not vote in favour of the partition plan. Mahatma Gandhi was not present at the beginning of the Convention. He arrived later. I think he had supported the plan in his speech. I do not have a recollection of anyone condemning the Union government for having failed to control the riots in Punjab, Calcutta and Noakhali, and thus expressing the apprehension that in the case of the partitioning of India the situation would deteriorate further.'

Vasant Joshi, a student and resident of Thana, was called in next. He said that his father was the owner of Shivajee Mudranalaya. He said he knew Karkare, Apte and Nathuram as the three had come to his house on 25 January 1948. He gave the details of what had transpired at his house. He also claimed to know Gopal Godse. Vasant went on to say that Apte and Karkare had stayed in his house till 13 February barring two days in between.

26 August 1948: Aitappa Krishna Kotian, a taxi driver gave details to the court of how he had driven Nathuram, Apte, Shankar and Badge from Victoria Terminus to Lalbaug, Dadar and Kurla. He then mentioned that he drove Apte and the others to Green Hotel, Marine Drive (Sea Green Hotel).

Kotian went on to describe in details the events of 17 January and informed the court about the places he had driven the accused to, right up to dropping off Apte and Godse at Santacruz airport. He also informed the court that when finally he dropped Badge and Shankar, Badge asked him for a receipt for the payment made to him of Rs. 6.25.

The next witness was the Harijan MLA of the Bombay Provincial Assembly Ganpat Sambhaji Kharat. He confirmed the fact that he knew Badge and that Badge had left two 'bundles' with him in the month of January.

30 August 1948: Gurbachan Singh, a Delhi-based businessman, was called to take the stand. He was a regular at Gandhi's prayer meetings and was present on 30 January, too. He said there was no one to make a path for Gandhi through the crowd that day. 'I was trying to overtake Gandhiji to get

in front of him and clear a path for him, but just as I caught up with him, as I reached his right side, I heard a shot being fired, then another shot and one more in rapid succession. There was a man standing in front of Gandhiji with a gun in his hand. I immediately hit him on his hand; I think he fired the third and last shot after my blow landed.' Singh then walked up to the dock and pointing to Nathuram Godse, said, 'This man is the killer, the murderer of Mahatma Gandhi.'

Then the court heard the testimonies of Prabhakar Lakshman Afale, a clerk in the District Magistrate's Office in Poona, who recounted all the fines levied on *Agranee, Hindu Rashtra* and the H.R. Printing Press. Madhusudan Golwalker, a ticket checker at Gwalior Station, informed the court about timings of trains arriving and departing from there.

31 August 1948: The manager of Udyam Engineering Limited of Poona, Pandurang Vinayak Godbole, took the stand next. He said he had worked with the company when Dattatreya Vinayak Godse was its proprietor, who is Nathuram's brother. 'Dattatreya Godse has three brothers Nathuram, Gopal and Govind. I know all of them by their faces since 1942.1 also know Narayan Dattatreya Apte by his face. The engineering firm is in the compound of Vinayak Godse's house, the father of the Godse brothers. Eight or ten days before 30 January 1948, Gopal came to my house at half past nine or ten at night saying he wanted to leave a couple of revolvers and bullets at my home. The things were in a cloth bag, which I put into a trunk. On 30 January I heard the news that Nathuram Godse had murdered Mahatma Gandhi. I was terrified of being implicated in the case. That day my friend Gopal Vishnu Kale came to my house. I told him about the weapons and we decided to immediately get rid of the bag. But I was very scared and asked my friend to get rid of it.

'On 8 February, just as I was about to enter my home, I saw Gopal Godse alighting from a car with some police officers. He asked me what I had done with the bag containing the handgun and bullets. I told them that I had given them to my friend Kale. On being asked, Kale said he had thrown the bag by the roadside near Ferguson College. We went to the spot but there was no sign of it. I was detained under the Public Security Ordinance till the third week of June.'

The eighty-eighth witness was Govind Vishnu Kale, a resident of Sadashiv Peth in Poona who worked for the Military Accounts Division. He told the court, 'I have known Pandurang V. Godbole for the past ten years.

On 30 January, I had gone to his home, late in the evening, I spoke to him about the murder of Mahatma Gandhi. I saw that Godbole was very anxious, on the verge of panic. He told me that he had a revolver that he wished to throw away. I told him I would throw it away for him. He gave me a cloth bag, it contained a revolver and five bullets. I threw the bullets near Ferguson College Road on 3rd or 4th February and the revolver on 7 February 1948.

'On 8 February, Godbole and Gopal Godse came along with policemen to my home. Godbole asked me to give back the revolver. I told him I had thrown it away just the day before. I took the police to the place where I had thrown away the revolver and bullets, but we could not find them there.'

2 September 1948: A first class magistrate from New Delhi, Krishna Chandra, testified that day. He had conducted two identification parades on 7 and 28 February 1948. He said that no police officer was present during the identification parade of Apte and Karkare. Chandra added that the jail superintendent had pointed out Karkare before the identification parade. He could not understand why no outsiders were part of the parade as he himself had got twelve prisoners to stand in the parade with the accused.

Ramanlal Desai, an employee of the Bombay Baroda & Central Indian Railway, was called to take the stand. He explained in great detail the process of collecting tickets from passengers and then entering their numbers into a register every two hours. He first grouped the tickets according to the stations mentioned and then record the numbers. He said on 30 January he received tickets issued from Dadar to Vile Parle station bearing serial numbers 05830 to 05940. Ticket no. 05891 had been recovered from Apte when he was searched after his arrest, which was shown to the witness. Desai said that on that day they had been unable to account for tickets with the serial numbers 05830 to 05834. He added that all tickets that are recovered in twenty-four hours are bundled and sent to Bombay Central Station from where they are sent to Ajmer. After a ticket is recovered from a passenger no one has the authority to give the ticket to any other person. Ticket No. 05891 was a ticket for the third class.' Desai went on to say that the ticket recovered from Apte was not punched and so it must have been removed after it was entered in the register, but before it was bundled and punched.

6 September 1948: Assistant Accounts Officer of the BB&CIR, Nathuram Agrawal took the stand. He said his department in Ajmer had

received the collection report of the tickets collected from passengers at Vile Parle station on 30 January 1948. 'It is not possible that two tickets bearing the same serial number could have been issued on the same day. A hundred thousand tickets are printed for each station, even at the stations which see heavy passenger traffic, this quantity lasts for a minimum of two months. On an average about fifteen per cent of the tickets sold are not recovered.'

WHERE DID THE COLLECTED TICKETS DISAPPEAR?

Jayprakash Kudesia, a ticket collector working at Thana station, was called in next but Mengle raised an objection to his testimony as he would be speaking about the train ticket bearing serial number 2131 recovered at Thana station on 2 February 1948. Daftary explained to the court that the accused had collected many such railway tickets, which should not have been with them. He said, 'The accused has collected train tickets from 30 January to 14 February to establish an alibi for himself to prove that on 30 January 1948, he was not present at the scene of the murder.' The court accepted Mengle's objection.

Dattatreya Ramchandra Kale, the chief agent of the Bombay Cooperative Insurance Society and a partner in Kulkarni & Co. was called to take the witness stand. He was present when the five accused, Madanlal, Karkare, Nathuram Godse, Narayan Apte and Gopal Godse had given specimens of their hand-writing in the presence of the witness.

8 September 1948: The matter of the objections raised by Madanlal's counsel with reference to Rajagopalachari's speech was brought up in court. Madanlal's counselsaid that since they had learnt that efforts were on to liberate Hyderabad and Madanlal was keen to be part of that, he had thus instructed his counsel to withdraw the objections earlier raised about the contents of Rajagopalachari's address to the nation.

A COAT AND TROUSERS WITH UNUSUALLY LARGE POCKETS

The 104th witness was Narayan Ganesh Dabke, the proprietor of the Poona-based tailoring firm Dabke & Co. He informed the court, 'I know Apte because he has been getting all his clothes stitched from me for the past three years. His house is barely a minute away from my shop.'

A woollen suit was brought into the courtroom and shown to Dabke, who recognised it immediately. He said, 'This was stitched in my shop. The order was given on 19 November 1946 and the suit was delivered on 5 December 1946. Apte had paid Rs. 30 towards the stitching charges. We had been asked to make large pockets both in the coat and in the trousers, which was unusual. The police brought Apte to my shop on 17 April 1948 and I informed them that I had stitched the suit. About ten months ago, Apte had asked me to accompany him as a volunteer with the aim of protesting and disrupting Gandhiji's prayer meetings.'

9 December 1948: Police Superintendent of Gwalior Dinkar Pandurang Thorat Patil was called to testify. He said, 'I have been an employee of Gwalior state for the past eleven years. During January- February, I was the police superintendent of Lashkar, the winter capital of Central India. I know Dr. Parchure; he was the president of the Gwalior Hindu Mahasabha and the convenor of the Hindu Rashtra Sangh. His name was first on the list of forty persons who were detained under the Civil Peace Establishment Ordinance; he was arrested on the morning of 3 February 1948. On the orders of the IG, Parchure was handed over to the military personnel so that he could be detained in Gwalior Fort. I know Gangadhar Jadhav, Gangadhar Sakharam Dandavate and Suryadev Sharma. They are absconding.'

Chief Presidency Magistrate of Bombay O.H. Brown was called to testify. He informed the court in detail about the manner in which identification parades were carried out by him and the procedures of recording statements.

14 September 1948: CID Inspector Dasvanda Singh of the Delhi police informed the court that on 20 January 1948, when he had gone to Birla House he saw Madanlal there. 'While searching him, I recovered a hand grenade from the right-hand pocket of the coat worn by Madanlal. I took him to the spot where the bomb had exploded. A crack, thirty-eight inches long and nineteen inches deep, had formed on the wall due to the explosion.' Singh continued with his testimony of his visit to Marina Hotel and the Hindu Mahasabha office.

PRAYER TO SEND A COMMISSION

The prosecution had submitted an application requesting the court to send a commission to Bombay to record the testimony of J.S. Paranjape. Based on Badge's confession, some explosives were recovered from the homes of

G.G. Shelar and NT. Nagmode. A sticky substance, suspected to be an explosive, was found in Godse's room. These explosive substances had been analysed by Paranjape. It was stated in the application that he had been grievously injured while testing the explosive substances and so a team should be sent to Bombay. (Paranjape was scheduled to testify on 23 September 1948. But since he was not fit enough to appear in court, his testimony was not recorded.)

In the meanwhile, Dasvanda Singh continued, 'When I saw the accused Nathuram Godse he did not have a bandage tied on his head. He was kept in a tiny room at the Tughlaq Road Police Station. On 27 February, Apte was taken from Delhi to Gwalior and brought back the next day. On 30 January (this has to be a mistake) I had taken Madanlal to the spot of the explosion to carry out investigations. The damaged wall had been repaired. I don't know if prior permission had been taken to carry out the repairs. I did not receive any information from Sardar Patel or Morarji Desai with regards to the investigation. One head constable and four sepoys were posted to maintain law and order at the prayer ground. On 20 January Head Constable Dharam Singh was on duty there.'

16 September 1948: Deputy Superintendent of Delhi Police Sardar Jaswant Singh was called to testify. 'The police stations of Tughlaq Road and the cantonment were under my jurisdiction. On 20 January 1948,I learnt that a bomb had been exploded at the prayer ground. I went to Birla House and questioned Madanlal in one of the rooms there.' Singh then gave further details of his visit to Marina Hotel and the Hindu Mahasabha Bhavan and the searches he conducted. He said that Madanlal had been sent to the Civil Lines Police Station where he was detained in solitary confinement till 3 February. 'I learnt that Gandhiji had been murdered at a quarter past five in the evening on 31 January 1948.' (Jaswant Singh was very casual in his testimony since Gandhi was murdered at 5.17 pm on 30 January. Being a senior police officer his casual approach in testifying in such an important case seems rather strange; that too for someone in whose jurisdiction the crime had been committed.) Singh then went around Birla House and said that he did not see Nathuram there. (This again is, surprising that the officer did not bother to see the person who had been caught red-handed and kept on the premises.) 'I saw him for the first time at seven in the evening at the Parliament Street station. I had sent a medical officer to see Nathuram since he had given me a written complaint about

the head injury he had suffered. At 9.30 am on the morning of 31 January, Devdas Gandhi gave me a spent bullet at the Birla House.' (In other records it is mentioned that Devdas Gandhi found the spent bullet which had gone through his father's body, in the folds of the khadi cloth he had draped on his upper body, while bathing his father's body the previous evening. Devdas Gandhi is reported to have gone to the Parliament Street Police Station late at night on the 30th itself and handed over the bullet to the station in charge. Nathuram in his memoir claimed that he saw Devdas Gandhi and spoke with him that night.) Till 11 February 1948 Nathuram Godse was kept at the district prison. 'I remember that Om Baba (a Hindu Mahasabha activist) had gone on a fast in January 1948 (this was staged to counter the fast undertaken by Gandhi) and had been detained at the Tughlaq Road police station. It would not be correct to say that when Om Baba's condition deteriorated in the lock up he was kept at the Hindu Mahasabha Bhavan. He was released before 20 January. When Room 3 at the bhavan was inspected, Om Baba was not found to be staying there. (In the Kapur Commission's findings it has been stated that when the police checked the room on the night of the 20th, Om Baba was found to be sleeping there.)

20 September 1948: The wives of Narayan Apte, Vishnu Karkare and Gopal Godse were present in court. Jaswant Singh continued his testimony, 'Madanlal was questioned by both, the Superintendent of Police, Delhi, P. Jagunnath and the Superintendent of Police, New Delhi, A.N. Bhatia. The Civil Lines Police Station is not under my jurisdiction. I had prepared a report about the wounds (most probably Godse's) on 30 January 1948.

The next witness was Arun Karamchand Gandhi. Arun Karamchand Gandhi was a student of the Engineering College Poona and had acted as a pancha on 8 February 1948 during the search operation at Nagmode's home.

21 September 1948: Deputy Superintendent of Poona CID N.Y. Deulkar took the stand and said that he had received orders from the IG Bombay to investigate Gandhi's murder. 'I saw Nathuram Godse for the first time at the Tughlaq Road Police Station lockup on 8 February. There were no bandages tied around his head then. On 11 February when I saw Shankar Kistayya, he was accompanied by Nagarvala. He then gave details of the search operations that he carried out. He also mentioned that it was his duty to collect all Marathi newspapers, and copies of the editorials written by Nathuram if found objectionable were submitted in court. The defence

counsels raised an objection saying that these editorials would make an undesirable influence on the trial. The court, however, kept the decision on the matter pending. Deulkar went on to say that he had known Parchure.

22 September 1948: Deulkar's cross-examination continued. He said that while investigating the Gandhi murder in Gwalior he did not prepare a case against anyone. He had questioned Kale and N.D. Parchure. He also said that he had signed a recovery memo of a stengun and had questioned the accused, Parchure and K.S. Parchure's wife.

TESTIMONY OF THE ROYAL ASTROLOGER

The astrologer of the royal family of Gwalior was the next to take the witness stand. Suryanarayan Vyas said, 'I am the family astrologer for the kings of Gwalior, Navanagar, Kashmir and Baroda and reside permanently at Ujjain.' He was shown an astrological chart, and he recognised it as being that of Parchure's father, Sadashiv Parchure of Gwalior.

Before his testimony began, Bhopatkar submitted an application to the court, which said, 'the prosecution had informed Savarkar that they would be submitting 143 letters, from Savarkar's files that were confiscated, as evidence in the Gandhi murder trial. It is said that out of these 143 letters received by Savarkar, 74 are from Nathuram Godse, 27 from Narayan Apte and 11 from Dattatreya Parchure. Parchure's letters are from the period between 1940 and 1943. The ones from Godse and Apte are from between the period 1938 to 1943. There are no letters written by the accused during 1946 and 1947 amongst these. The prosecution is relying more on 29 letters out of the 143. From the rest of the letters they plan to establish the relationship between Savarkar and the other accused Godse, Apte and Parchure. Savarkar feels that this is not correct on part of the prosecution. The period of the existence of the conspiracy is from 1 December 1947 to 30 January 1948. What transpired before 1 December 1947 cannot be used to prove the intentions of the accused.'

The astrologer informed the court that it was not apparent from the birth chart that it was that of Parchure's father. There was no mention of the names of Sadashiv Gopal Parchure's parents. (This is not true as one's middle name is usually that of the father and in this case Gopal was the name of Sadashiv's father.)

The prosecution then called two witnesses whose testimonies helped in establishing that Godse and Apte had flown to Delhi on 17th and 27th

January. Another witness from Poona presented evidence to prove that S.G. Parchure was a student of Deccan College.

27 September 1948: Inspector B.S. Haldipur of Bombay Police told the court, 'I was in the Anti-Corruption Department during 1947-48. On 12th February I had gone to Green Hotel (Sea Green Hotel) and made inquiries there, by the orders of Deputy Commissioner of Police Nagarvala.' He added that he had gone to Apollo Hotel to check the guest register and make some inquiries. He realised that of all the names in the register, two persons were not present in the hotel. He waited for them to arrive and arrested Apte and Karkare.

28 September 1948: Haldipur continued his testimony by saying that he had taken handwriting samples of the accused adding that he would read out or explain the contents of the panchanama before getting them to sign it. Orders were issued for the investigation of this case on 28 January 1948. 'When I say "this case" I mean the bomb explosion and then the murder of Mahatma Gandhi. (Realising his mistake, the witness immediately explained. On 28 January 1948, I was ordered to assist in the investigations of the Bomb Explosion Case and on 31 January 1948 I was ordered to assist in the investigations of the murder case.) I had come to Delhi on 5 April 1948 or thereabouts, in connection with this case. I cannot say accurately on which date the accused were brought to the CID office. I seem to recollect that the accused were finally brought to Delhi in the third week of May.'

29 September 1948: Haldipur's cross-examination continued. 'I had taken the accused to the court of the chief presidency magistrate of Bombay to get them remanded to police custody, but the remand application was submitted by my senior officer. I did not inquire as to when the accused had been chargesheeted in the case. I have not seen the FIR of this case either nor have I gone to Poona in connection with this case. As far as I know Umar Khan used to assist Nagarvala in the investigation of this case.

Next, the prosecution was to call a witness whose testimony would prove that Savarkar had ties with the other accused. The defence counsels questioned the credentials of the witness and raised objections. Daftary argued that the testimony was valid under Section 11 of the Indian Witness Act, and the witness was being called to demolish Savarkar's statement wherein he had stated that he had no relations with the accused. The statement is a part of the authenticated record of the court. Bhopatkar said

that the circum-stances under which the statement was made must also be taken into consideration.

Before this, Daftary submitted three applications. In the first application he requested the court to show Karkare's counsel, Dange some letters and goods seized from Karkare. In the second, he denied that the collector of Poona, S.G. Barve, had taken any goods or letters from Apte's home. Everything seized from the search at Apte's home had been submitted in the court. Two letters seized from two 'other places' were in the possession of the police and could be shown to the defence counsels. The third application requested that Deulkar's statement, where he stated that Parchure had voluntarily expressed the desire to make a confessional statement and had not complained about any harassment or ill treatment, be accepted by the court, as it had earlier disallowed this part of his testimony.

Bhopatkar submitted an application in which a clarification had been made about Savarkar's statement wherein he had claimed that 'I have never had contact in any form, with any of the accused'. Bhopatkar explained that Savarkar had a longstanding relationship with Godse, Apte, Parchure and Badge due to their work with the Hindu Mahasabha, but it did not imply that he had entered into a conspiracy with the accused to murder Gandhi. After their arrest, when the police had taken a group photograph of all the accused, Savarkar had objected to being made a part of it. Daftary insisted that to establish to what extent Savarkar had contacts with the other accused would be revealed when the letters seized from Savarkar's home were examined by the court.

30 September 1948: Next on the witness stand was CID Inspector A.R. Pradhan of Poona Police. Ruling on the plea of Savarkar's counsel, Bhopatkar, regarding his objection to the correspondence between Savarkar and some of the accused being recognised as authentic evidence by the court, Judge Atmacharan ruled that the twenty-nine letters believed to have been written by Apte and Godse to Savarkar were relevant upto a certain extent and could be treated as authentic evidence. The witness told the court that DIG of Bombay Province, Rana, had ordered him to assist Nagarvala in the investigation of this case. On 21 February 1948 he was ordered to read the contents of the files seized from Savarkar's residence. He said that after reading many files he realised that Nathuram and Apte had written many letters jointly or independently, and Savarkar had replied to them likewise. Seventeen letters written by Nathuram were accepted by the court as prime

evidence. When Pradhan went to Poona and Ahmednagar no senior police officer had accompanied him. He had gone to Ahmednagar to bring back some secret files. Apart from those by the accused, there were letters written by others to Savarkar in these files and Pradhan added that there were nearly 10,000 letters in those files.

Mengle selected seven letters and submitted these to the court as prime evidence. Bannerjee informed the court that the letter written by Gandhi to Savarkar on his sixty-first birthday was also in the file. Godse had written a letter to Savarkar in October 1946, his last letter, which was also in the file. Bhopatkar selected six letters written by Savarkar to Nathuram and requested the court to admit these as prime evidence. The statement issued by Savarkar in 1942 on the arrest of the CWC and the condolence letter he had written to Gandhi on the death of Kasturba were also included.

The CID's sub-inspector C.R. Pradhan now gave his testimony. He had been ordered by Nagarvala to keep a watch on Savarkar's home in Shivaji Park and some other establishments, and also ordered to arrest Karkare. He went to Poona on 8 February with Gopal Godse and Badge to locate the addresses of Godbole and G.P. Kale. While searching the premises of the Maruti Mandir they had found some explosive substances. He testified that on 23 May 1948, Badge's wife had come to meet him at the CID office in Bombay. Before allowing her to go near Badge, she was asked if she had brought anything along with her. She said she had brought a letter. They later found that the letter was torn into eight pieces, which Pradhan himself stuck together. Pradhan claimed he had arrested Shankar Kistayya from Bhuleshwar on 6 February 1948.*

A layout plan of the Mahabavdi Police Station had been drawn for evacuation in case of an air attack. This was submitted to the court to indicate where Shankar was arrested. On being questioned the witness said, 'I have not drawn the map. The map is accurate, but I have not measured it with a scale. I know this area very well. I have never moved around in this area with the map. I don't even know who has drawn the map. On 25 February when Apte and Karkare were brought to Bombay, their faces were not covered in the plane. In Delhi they were transported in a military lorry, which was covered on all sides by a canvas. In Bombay they were transported in a military ambulance which too, was covered from all sides. On 20 January 1948 Nagarvala had ordered me, in Delhi, to arrest Karkare.'*

The next witness to testify was CID Inspector Mandlik of Gwalior. He narrated to the Court how he had heard from a Tongawala that he had ferried two men wanting to go to Parchure's home on the night of 27 January. Then Mandlik described the various police procedures carried out by him in Gwalior.

Next witness was an explosives Inspector from Bombay S.K Bhavnagri. He informed the court about the various explosive materials which his office had received and had sent for analyses to various laboratories. He also described to the court the accident in which Sub-Inspector Y.S. Paranjape was grievously injured.

NAGARVALA'S TESTIMONY

The 132nd witness in the trial was its chief investigating officer, Deputy Commissioner of Bombay CID Jamshed D. Nagarvala. Taking the stand, he said, 'I joined the Indian Police Service on 2 February 1937. I received my police training from the Nasik Central Police Training School. I was posted in Sindh for three years in connection with the suppression of the 'Hoor Uprising', clashes between the police and the hoors. I have exploded hand grenades on many occasions.'

HOW THE POLICE UNCOVERED THE CONSPIRACY

Nagarvala said that along with his duties in Bombay he had additionally been appointed a special police superintendent in Delhi also. He was to investigate the bomb explosion case and the Gandhi murder case.

He was asked to meet Morarji Desai at Bombay Central Station before the departure of the Madras Mail[*] Nagarvala then went on to give details narrated in an earlier chapter. He immediately ordered a very strict watch on Savarkar's home from 9.30 pm that very day and ordered Karkare's arrest. He said he had inquired if the Ahmednagar police had arrested Karkare.[**] 'The Deputy Superintendent of Delhi Police Sardar Jaswant Singh and another inspector had come to Bombay to meet me, on 22 January 1948. They wished to arrest Karkare and his accomplices. They stayed till the afternoon of 23 January. During the interim period they kept looking for Karkare and his accomplices. Before this the Bombay police was not aware of Karkare's antecedents.[†]

He went on to say that Rana had come to Bombay on 27 January 1948 and he had been briefed about the situation and the ongoing investigation. He said on the 30th the Home minister of Bombay province informed him that Gandhi had been murdered. 'On the morning of 31 January 1948, the police commissioner of Bombay informed me that Savarkar had asked for help, and he immediately ordered me to proceed with a posse to Savarkar's home. Savarkar walked out of his room and met me as I entered his second floor residence. I was surprised when he came forward and said, "So you have come to arrest me for the murder of Mahatma Gandhi." He sounded very guilty; I also felt that he was only pretending to be ill. I told him that I had only come to conduct a search of his home. Savarkar definitely looked very crestfallen and also fearful,' said Nagarvala, and went on to give details about speaking to the taxi driver Kotian and Shanta Bhaskar Modak.

APTE ARRESTED

Nagarvala added that Apte and Karkare were arrested from Pyrke's Apollo Hotel after secretly tapping the telephone line of Manorama Salvi's father and listening in to the conversation between Apte and Manorama. He then said that all, barring Savarkar and Parchure, were brought to Delhi on 24 May 1948. In accordance with Section 4 of the Prisoner Identification Act, a group photograph of all the accused was taken.

6 October 1948: Nagarvala's testimony continued. 'I sent a police party to Poona to search Apte's home to look for a pair of missing trousers, but it was not found. On getting information, I called three panchas and in their presence we searched the room where Apte was held. Apte opened his trunk and handed over the trousers to me. A recovery statement was prepared, which I signed.' (This was a ridiculous claim by Nagarvala as it is very difficult to believe that an accused in police custody managed to keep a locked trunk with him and that the police did not know about the trunk or its content till many days later, whereas at the time of his arrest even train tickets were recovered from his person and made note of. The court refused to believe this far-fetched claim, since Apte had claimed that he had donated the jacket, recovered from Madanlal, for the refugees at the Chembur refugee camp and that is where it must have come in possession of Madanlal. The police had recovered Apte's coat from Madanlal at the time of his arrest; if they could prove that the matching trousers were recovered from Apte then a connection between Apte and Madanlal would

be established. But the pathetic attempt made by Nagarvala was rejected outright by the court. Of course there was more evidence that linked both Madanlal and Apte to the bomb explosion case and the subsequent murder case and so this lapse did not cause much damage. But it did allow the Defence to discredit the police and raise doubts about their integrity which enabled them to eventually get Savarkar acquitted.)

Nagarvala continued, 'I had only recorded Miss Modak's testimony in my room. When I received orders to investigate this case, I had, for my convenience, got the entire second floor of the new building of the CID office in Bombay vacated. A sentry was posted at the entrance to the elevator on the ground floor. I had warned the liftman not to bring any one to the upper floor without my orders. I used to meet very few persons in my room. The windows and doors of the rooms in which the accused were held were kept shut and locked. The doors of the rooms in which Gopal Godse and Narayan Apte were held were open but we had hung curtains across these. I know Suryadeo Sharma, G.S. Dandavate and G. Jadhav. I had taken an allowance of Rs. 3,000 to search for them. I had given orders to many police officers all over the country. We had found Joginder Singh Chopra once, but he has vanished since then. He has not been found yet. I had sent seized documents and the handwriting specimen of the accused for analysis to the handwriting expert.'

Nagarvala said that during the investigation, he had sufficiently satisfied himself that the telegram sent in Apte's name was neither sent by him nor was it in his writing. Manorama Salvi could have testified with regard to the telegram, but she turned hostile and corresponded with the defence counsel. Nagarvala added that he was aware that an advocate Jamnadas Mehta and Vyas had also been detained and had no knowledge about others. After Gandhi's murder, a man named Yatte, member of the Anti Pakistan League' sought sanctuary in the police station, claiming that a violent mob was intending to lynch him. They all subscribed to the Mahasabha RSS ideology.

8 October 1948: Nagarvala said that Morarji Desai hadn't informed him about the letter Karkare had written to him concerning refugees.

'I am not sure if an application seeking Madanlal's remand was signed by me or by one of my subordinate officers on my orders. I did not ask Morarji Desai about the source of his information. Before this, in the course of the investigation, I did not seek any permission to transport the accused from

one location to the other. I suspended Lance Naik Kadam because he had smuggled a letter written by Apte to Manorama Salvi out of the prison. The police commissioner had issued standing orders that multiple handwriting specimens of the accused must be taken so that the handwriting expert had enough material to compare and arrive at an accurate analysis.' This completed Nagarvala's testimony and the court was adjourned till 18 October 1948 because of Vijaya Dashmi and Bakr Eid.

18 and 20 October 1948: The proceedings of the court resumed on 18 October, after a nine-day vacation. However, after a short while, it was adjourned again as Atmacharan had to leave for Kanpur on some personal work.

21 October 1948: The chief handwriting expert, Gajjar, of the Poona Provincial CID unit was called. He said he had received orders on 17 March 1948 to analyse some documents related to the Gandhi murder case. Haldipur gave him some contentious documents and was told to stay in Bombay for the duration of the investigation. It must be remembered that the documents were in English and Marathi. On many occasions, the accused were asked to write on clean sheets of paper, what Haldipur dictated to them. The procedure had been confirmed in the testimony of many witnesses presented in court by the prosecution in this regard. All these documents and papers were handed over to Gajjar for analysis and investigations. Before Gajjar's testimony began, Madanlal's counsel submitted an application to the court, which said that while his client was in custody he was made to provide handwriting specimens on five occasions. This was not admissible as evidence until such time as some specific references were made to it in Gajjar's testimony.

Gajjar informed the court, 'The handwriting specimen of the accused was sent to me. The handwriting of an entry in the traveller's register, made on 21 January 1948 at Kanpur railway station, matched exactly with Nathuram's writing. So did the writing of the entry made in the Guest Register of Elphinstone Annexe Hotel, Bombay on 24 January 1948.

25 October 1948: Gajjar continued to say, 'The entries in the guest register of Sea Green Hotel on 2 February 1948, were done by Karkare; so were those by G.M. Joshi in the register of the Frontier Hindu Hotel on 20 January 1948 and by B.M. Vyas in the guest register of Sharief Hindu Hotel on 17 January 1948; these were all examined minutely by me. I observed that the method of holding the pen, the characteristics of strokes, nib angles

and the formation of letters were all exactly like those found in the handwriting specimen provided by Vishnu Karkare. The two insurance policies of the Oriental Government Security Life Insurance bear Nathuram's signature.* The signature appearing in the box marked as witness is definitely that of Narayan Apte.'

Replying to a question from Oak, Gajjar said, 'While analysing Nathuram's writing I came across a recurring characteristic. When he writes "I" the vertical stroke was always tilted, never straight. Of course, there were slight variations which is natural. The "I" in Nathuram's writing is very distinctive.'

27 October 1948: Replying to a question asked by Gopal Godse's counsel, Inamdar, Gajjar said, 'I have compared the handwritings in the documents in question with the handwriting specimen of the accused obtained by the police. I gave my opinion after thoroughly analysing and satisfying myself about my inferences. The police had taken the handwriting specimen of Badge in the Devanagri script. I used to note down all the differences I observed in the documents in question and the authentic handwriting specimen obtained by the police, but there were very few differences.'

TESTIMONY OF CID INSPECTOR PINTO

CID Inspector of Bombay Police Charles Anthony Pinto was called to testify next. He said he was associated with the special branch of the Bombay CID since 29 January 1948. His first task was to trace both Badge and Karkare. He arrested Gopal Godse on 5 February but did not find any incriminating evidence on him. A day after Apte and Karkare were handed over to the authorities of the district jail, they were taken to many places in Delhi and New Delhi along with First Class Magistrate Kishenchandra, which was being done in connection with their recorded statements. All precautions were taken to keep their identities a secret.

28 October 1948: Pinto said that when he brought Nathuram to Delhi on 5 April 1948, Apte and Karkare were not with him. He assisted Nagarvala in investigating this case and had no recollection of when the police learnt of Karkare's name and address. He denied knowing or ever questioning Paranjape.

29 October 1948: Witness No. 139 in the Gandhi murder trial was a seventy-eight-year-old retired major from Gwalior, Dadabhai Manekjee. He

said, 'I went to Gwalior in 1895, and enrolled in the Gwalior Army that very year. I also served on the personal staff of the late king of Gwalior. I have known Sadashiv Gopal Godse.* I used to call him 'Master Saheb'. I met him for the first time at Ujjain station in 1895. He was either a lecturer or professor in the Mahadev College of Ujjain. After 1906, I used to spend three to four hours in the *Rajprasad,* the king's palace, daily. S.G. Parchure had five sons and one daughter. I had visited his home in Poona too. He used to dress up in the fashion of the Poona Brahmins. I remember that after serving in many positions he ended his career as the deputy inspector-general in the Education department. I had met him on the day he died. I cannot recall the exact date of his death and don't know if he owned a home or any estates in Gwalior, but I remember that he had requested for a loan from the late monarch to purchase a house. I have neither met nor spoken to Parchure, the accused. I was brought to Delhi by a police officer from Gwalior, S.R. Mandlik.'

The editor of the newspaper *Jiyajee Pratap*, published from Gwalior, Ramprasad, was the last of the witnesses in the trial. The process lasted four months. One hundred and forty-three witnesses testified and almost five hundred items were accepted in court as 'authentic evidence'.

5 November 1948: Additional witnesses were presented in court by the prosecution. The chief clerk of Bombay University, Vinayak Raghunath Darshethkar, submitted the university calendars of the years 1880-81, 1884-85 and 1885-86; the 'result sheets' of the 1876-77 metric exam; and the 1881-82 and 1891-92 B.A. exams to the court. He examined and confirmed the seal of the Bombay University on the certificate which was conferred, in 1886, on S.G. Parchure, father of the accused Parchure. The second witness was the superintendent of the Records Department of Gwalior, Ragahvan. He presented the Military and Civilian Record of Gwalior in which there was a mention of S.G. Parchure, along with his signature. The third was the station-in-charge of the Lashkar Police Station of Gwalior state, Keshav. He had searched Parchure's house on 29th and 30th October, on the orders of Thorat Patil and had seized the birth chart of S.G. Parchure, a photograph and six land revenue receipts from there. Some of the seized documents were presented in court as evidence. An old resident of Gwalior, Shyam Bahadur, said in his testimony, 'On 29th and 30th October and on 2nd and 3rd November, when Parchure's home was searched, I was present. His

testimony continued the following day also.' He said he had been living in Lashkar since 1940 and had seen Parchure practice medicine since 1934.

The cross-examination of the witnesses finally came to an end.

THE STATEMENT OF NATHURAM VINAYAK GODSE

'I Alone Murdered Gandhiji.'

On 8 November when the proceedings of the court began, Chief Prosecutor Daftary said that they would not be presenting any more witnesses. The court asked prime accused Nathuram Godse if he wished to say anything to the court. Nathuram replied that he wished to read out a ninety-three-page long statement.

He began reading his statement at 10.15 am. Before reading his statement he said, 'I have divided my statement into six parts. The first deals with the conspiracy and related matters; the second part will throw light on Gandhiji's politics (initial phase); part three will focus on his politics (final phase); part four deals with Gandhiji and Indian independence; part five with the shattering of the dream of independence; and the last part deals with the zenith of anti-national policy of appeasement.' He then appealed to the press reporters not to refer to his statement in an out-of-context and disjointed manner. Daftary objected to this saying that those parts of the statement which were not relevant to the case and were useless in arriving at a verdict should be struck off the record.

At 11 o'clock, while reading his statement, Nathuram began feeling giddy and he fell. After resting for a while, he continued again. It took him almost five hours to read out the entire statement. Through it, he sipped water chewed cloves. He ended his statement by shouting *'Akhand Bharat Amar Rahe, Vande Matram',* 'Long live undivided India, Hail to the motherland'.

After Nathuram finished reading his statement, Daftary raised certain objections saying that many parts were inconsequential to the trial and should not be incorporated in the court's record. He cited as an example the part in which Nathuram stated—'I have no respect for the current Government of India, because it is partial towards the Muslims.' However, Atmacharan responded that he could not order certain parts of a written statement to be deleted. They could be irrelevant for the lawyer but for Nathuram they may be essential. He added that written statements were always accepted in important trials in the United Provinces.

The courtroom was almost packed to capacity that day.

A part of Godse's statement has been included later in this book in the chapter titled 'Appeals and Execution'. Nathuram utilised his appeal in the Punjab high court to once again give vent to his anger. The Government of India, at the time of the trial, in a knee-jerk reaction banned the publication of Nathuram's statement, after it was melodramatically narrated in front of the press, in a packed courtroom. The government's action added credibility to a rabid account of a zealot, which twisted facts, based its arguments on incidents taken out of context and exploited the emotions of the people. These are the same tactics used by Godse's political heirs even today. Nathuram's brother, Gopal, published his brother's statement in a book titled *May It Please Your Honour*. The book was banned by the government, which again garnered sympathy often reserved for martyrs. The blunder committed by the Congress government was compounded when Gopal Godse got the ban set aside by the courts. *May It Please Your Honour* is today used by the Sangh Parivar, Godse's ideological mentors, supporters and promoters of his action, as a justification for Gandhi's murder.

The language of the statement leads one to the conclusion that much of it either flows directly from the pen of the master orator and wizard wordsmith, V.D. Savarkar or was definitely embellished by him. Savarkar possessed a magical command over the spoken and written word. Even if not entirely written by Savarkar, the final draft was surely worked on by him converting it into a highly emotionally charged document. Although he was known to be proficient in vitriolic writing, Nathuram was not known to possess the ability to sway people's emotions with his words. His was a pen accustomed to spew abusive and vituperative language. It was known that the accused were free to confer with each other in prison and on several occasions, guards had been caught smuggling out messages from the accused. There is no reason to believe that Nathuram was notable to get his mentor and guru, VD. Savarkar, to help him polish what is today referred to by Nathuram's ideological offspring as his last will and testament.

I have written about the last years of Gandhi's life in Book Two, which prove how false is the campaign carried on against him by the RSS-Hindu Mahasabha combine.

9 November 1948: The judge asked Nathuram twenty-eight questions; the accused answered all of them standing in the dock.

1. Godse contested the claim of having met Badge in the office of his periodical in Poona and instructing him to deliver the ordered arms and explosives to the Hindu Mahasabha office in Bombay on 14th January.
2. Nathuram accepted that he had nominated Gopal Godse's and Narayan Apte's wives as beneficiaries to his life insurance policies.
3. Godse accepted that Miss Modak had travelled with them from Poona to Bombay in the same compartment and that she had taken them from Dadar Station to Savarkar's home, in her brother's jeep.
4. Godse denied that he had met Badge, along with Apte, at the Hindu Mahasabha's office in Dadar on 14 January, where it was alleged that Badge was carrying some 'stuff' in a bag on his person. He also refuted the allegation that later he had taken all these people and had gone to Savarkar's home, and that there he had asked Badge and Shankar to wait for them outside while the rest of them went in and chatted with eight or ten people, before coming out.
5. He contested the allegation that he had gone to Dixit Maharaj's home with Badge and Apte; he also denied that they had left a bag containing arms and explosives there.
6. Godse said, 'I did not give Badge Rs. 50 as travel expenses. I have noted having given Rs. 50 to "Bandobhau" in my diary. The "Bandobhau" referred to is not Badge, he is an employee working in my office in Poona'. He claimed that it was the day of Sankranti, 'I had also given Rs. 250 to my brother Gopal. I have made a note of it in my diary'.

7. Godse claimed that it was an absolute lie that on 15 January, 'I along with Apte, Madanlal and Badge went to Dixit Maharaj's home to pick up the bag containing the "stuff", and that during the course of their talk there they had disclosed that they had decided to finish off Mahatma Gandhi, Pandit Nehru and Suhrawardy'.
8. Nathuram denied that on 16 January he had met Badge in Poona and had asked Badge to accompany them to Delhi and to get a new revolver in exchange of his old revolver. He claimed, 'I did not meet Badge on 16 January at all'.
9. Godse accepted that on 17 January, he along with Apte and Badge had gone to the homes of three or four people to collect money He denied having met Savarkar that day.
10. The allegation that he had gone to meet Tatyarao Savarkar one last time on 17 January along with Apte at Savarkar Sadan and that Tatyarao had blessed them by saying, 'Yashsvi Houn Ya,' were, according to Godse, absolute lies.
11. Godse accepted that he had travelled with Apte by plane under assumed names, but denied that Apte had told Dada Maharaj in his presence —'Prateeksha karo aur dekho hum kya karte hain', 'Wait and see what we do'. He said that Apte had informed him in court about them travelling under assumed names.
12. Nathuram accepted that they had stayed at Marina Hotel between 17th and 20th January, using assumed names, and that he had given some clothes to be washed urgently to the room attendant.
13. Nathuram contested the prosecution's claim of going to the Hindu Mahasabha Bhavan on 19 January along with Apte and Karkare and having met Badge and Madanlal there.
14. Nathuram denied that on 20 January Gopal had repaired his revolver in the room of Marina Hotel in his presence and Apte, Karkare, Badge and Madanlal had fitted fuses and detonators to the gun cotton explosives. He also denied having told Badge—'Ha amcha shevatcha prayatna, mahnun taiyari kartana Kaalji ghya', 'This is our final attempt, so take care while preparing everything'. Godse claimed that he was suffering from a headache and had not gone out anywhere. 'Badge and Apte were talking about a demonstration at the prayer meeting. I told them—"Go into the next room if you wish to talk, I have a headache and I want to be left alone".

15. Nathuram denied having distributed weapons to the other accused. He said it was false to say that according to the plan Apte and he would only be signalling to the others. Madanlal would explode the bomb and the rest would throw grenades and shoot at Gandhi.
16. Nathuram said—'I did not go to the prayer meeting on 20 January, neither do I know what happened over there or what did not'.
17/18. In response to the seventeenth and eighteenth questions asked by the judge, Nathuram gave the same answer, denying that he was present at the prayer meeting venue.
19. Godse informed the court, 'Neither did I go along with Apte to meet Badge at the Hindu Mahasabha Bhavan, nor did Badge tell us, "Chalte wha, amhala tumchyashee kahihi dene ghene nahin", "Get lost, I want nothing to do with you".'
20. Godse accepted the fact that on the night of 20 January, 'I had travelled by train in the First Class to Kanpur and I had reserved a retiring room at the Kanpur railway station on the 21st'.
21. Godse agreed that from 24 January till 27 January he had stayed at the Elphinstone Annexe Hotel in Bombay, along with Apte. But said, 'Gopal and Karkare did not come to meet me there'.
22. Godse accepted that he had reserved two tickets with Air India Limited on 25 January and that Apte and he had travelled to Delhi by that plane, assuming false identities, on 27 January'.
23. Godse accepted the fact that he had gone to the Mata temple (Mota Mandir) with Apte on 26 January, but denied that he had demanded a revolver from Dada Maharaj. 'I had gone there only to meet Dixit Maharaj, who was lying ill at that time. The conversation that took place there was only pertaining to the need for gathering arms and explosives to counter the atrocities being perpetrated in the border areas of the Hyderabad state'.
24. Godse said, 'On 27 January, after travelling from Bombay to Delhi by plane, using assumed names, Narayanrav and Vinayakrav, Apte and I left for Gwalior on the night of the 27th. We reached there early the next morning and stayed in a dharamshala near the station.
25. Godse accepted the fact that on 28 January they were at Dr. Parchure's home, at 7.30 am and at 4.00 pm, but said, 'It is not true that the pistol we allegedly procured there, belonged to Goel or that I got it from Goel through Dandavate'.

26. Godse accepted the fact that under the assumed identity of Vinayakrav, he had taken a retiring room for twenty-four hours at the Delhi railway station, but denied that Karkare and Apte were present in the room along with him. He said that he had not seen Apte or Karkare on 29th or 30th January. Apte had parted with me at Gwalior itself'.
27. Godse accepted the fact that he had fired thrice at Gandhi. He described graphically his mental condition, a few minutes prior and a few minutes after killing Gandhi.
28. Godse said, 'Just as Gandhiji approached the verandah at the prayer place, I leapt in front of him. I had decided that I would shoot Gandhiji in such a way that no one else would get injured. I greeted Gandhiji with folded palms, but I had hidden the pistol between my folded palms. I had disengaged the safety catch. I imagined that I had fired twice, I found out from the police that I had fired thrice. I became agitated and shouted "Police! Police!!" repeatedly. After I had fired the shots I found that the people were frozen with shock. I remember that first I was caught hold of by a police constable. Later another one came. Then someone snatched the pistol from my hand'.

Godse continued, 'One man came up from behind me and hit me on the back of my head and I started bleeding from the wound. I told him that I had done what I had set out to do and had no regrets about what I had done. I warned the person who had snatched the pistol from my hand that it was an automatic and that I had disengaged the safety catch so he better handle it carefully otherwise it may go off and hurt or kill someone else. The person turned to me and said "I will shoot you". I told him—"Shoot me, I am ready to die." After two hours I got my heart and pulse rate examined.' In the end Nathuram Vinayak Godse said, 'Gandhiji definitely died as a result of the bullets I fired at him, from the pistol in my hand.'

10 November 1948: Replying to questions asked by Atmacharan, Nathuram said, 'On 20 January 1948 I did not drink tea along with Karkare and Shankar in Room 40 of Marina Hotel. Nor were we served liquor. Karkare did not meet me there. I have never drunk tea in my life, yes, I have drunk coffee occasionally.' He was shown his letters and his writing specimens. He agreed both were his own and said, 'When I was asked to provide a handwriting specimen in Marathi at the offices of the CID in Bombay, I was told specifically to put a stroke on top of the letters. The four witnesses who have testified to seeing me at the venue of the prayer

meeting on 20 January 1948, must have done so under duress from the police. I have a similar complaint about one of the witnesses from Gwalior too.'

Speaking about the testimony of Dada Maharaj and Dixit Maharaj which had gone against him, Godse said, 'It is likely that they gave such a testimony against me due to the fear that the police would otherwise falsely implicate them in this matter, too.' About Badge's testimony he said, 'Badge ran a business of selling weapons and explosives. I knew all this. On a couple of occasions he gave me weapons, bombs and explosives too, which I gave away to those fighting the Hyderabad state. Then Badge frequently kept demanding sums of less than Rs. 100 from me. After some time I felt threatened by his behaviour. After the murder of Mahatma Gandhi there was general anger against Brahmins in Maharahtra. Badge is not a Brahmin. I think Badge testified against me due to these reasons.' He accepted the fact that on 30 January he had himself photographed, which he had sent to Apte. 'Before this I had never allowed anyone to take my photograph for publication'.

10 November 1948: The second accused Narayan Dattatreya Apte read out his twenty-two page long statement in court that day. He said, 'I am innocent. I was not present at the scene of crime at the time of the murder. I deny outright the charges levelled against me, of being an accomplice in the murder of Mahatma Gandhi and of encouraging, planning and assisting in his murder.' He alleged that, 'In an effort to build a case against me a lot of evidence has been manufactured against me and many witnesses have been tutored to testify against me. When I showed the police the spot behind the Hindu Mahasabha Bhavan in Delhi and "Parchure Vada" in Gwalior, I was held hostage by the police and I was totally at their mercy. Whatever they wanted they would force me to do or accept on the pain of death or with the threat of persecution of my family.'

Describing his background, Apte said, 'I am very proud about being a Hindu. Hindus must become united and powerful ... I am convinced that Gandhiji's non-violence posed a great danger to the existence of Hinduism.' Apte accepted that he was present in Delhi on 20 January. 'I had gone to the prayer place in the evening. I had decided that I would confront Gandhiji that evening and ask him— "How much of it is your influence in making the Government of India change its decision to not give Pakistan Rs. 55 crores and promising now to do so immediately?" The microphone was not

working that evening and so I felt it would be impossible to carry out the demonstration the way I had planned it. It is true that I had met Badge on 15 January. He volunteered to participate in the demonstration in Delhi. I forbade Badge from carrying any type of weapons or bombs and explosives with him to Delhi, because we were going to carry out a peaceful demonstration. But he brought along bombs and explosives with him, and distributed some amongst the refugees; Madanlal was present among them.

'When I heard of Madanlal's arrest from Badge, I also left Delhi for Bombay. There I met Godse and both of us again decided to hold peaceful demonstrations in Delhi. Since we did not have enough funds to take volunteers from Bombay for the demonstration, we went to Dr. Parchure's home in Gwalior to get volunteers from him. But he was not able to help us since most of his volunteers had been arrested and the rest had gone into hiding. Nathuram told me to go to Bombay and at least try to arrange some volunteers for the demonstration in Delhi from there. Thus I went to Bombay on 28 January and Godse went to Delhi.'

Apte went on to say, 'I reached Bombay on 30 January and spent the whole day trying to secure funds and arrange volunteers. That evening I heard the news of Gandhiji's murder and the arrest of Nathuram Godse. I immediately decided to go to Delhi, but stopped, thinking that the police would arrest me because I am Godse's friend. It is false that on 15 January I told Badge that Savarkar had decided that Mahatma Gandhi, Pandit Nehru and Suhrawardy were to be killed and that he had given that responsibility to us. These are all absolutely made up stories.'

Apte also the claim of the prosecution that the train tickets found on him at the time of his arrest were stolen after they were recovered by the ticket checkers at various stations, adding that it was a figment of their imagination. 'It is again a totally fabricated and baseless argument.'

In the end Apte said, 'The prosecution has failed to prove any of the charges levelled against me. I am absolutely innocent, and so I must be released, post haste.'

11 November 1948: Apte was to answer posed questions put to him by Judge Atmacharan. Apte admitted to knowing Badge for the past four years and the fact that the latter had supplied him with weapons, bombs and explosives for use in the Hyderabad conflict. He denied having met Badge between November 1947 and January 1948. Apte said, 'It is untrue to say that I took Badge to the office of *Hindu Rashtra* on 10 January 1948 and

asked him to deliver two pieces of gun cotton and five hand grenades at the Hindu Mahasabha Office in Dadar on 14 January 1948.' He readily accepted the fact that Nathuram had nominated his and Gopal Godse's wives as nominees on his life insurance policies and that he had signed as a witness on the policy documents. He also agreed about travelling with Shanta Modak, and Nathuram from Poona to Bombay and that she had dropped them at Savarkar Sadan, but denied meeting Badge that night.

Replying to the next question Apte said, 'The witness' statement claiming that I had gone to Dixit Maharaj's home accompanied by Nathuram Godse, Shankar and Badge, is false. It is also not true that Badge had brought a bag full of weapons, bombs and explosives, for which Godse paid him Rs. 50. On the morning of 15 January 1948, I met Badge at the Dadar office of the Hindu Mahasabha. But not with Madanlal and Karkare, as has been claimed by the prosecution's witnesses.' Apte refuted Badge's testimony that Savarkar had ordered the killing of Gandhi, Nehru and Suhrawardy. Apte also denied that he had negotiated with Dixit Maharaj to get a revolver from him. He said, 'Why would I risk asking a person, whom I only casually know and have no acquaintance, for a revolver?' Revealing the reasons for Nathuram and him travelling under false names on 17 January 1948, he said he had gone to the booking office and had met someone who was cancelling his tickets. That man asked Apte if he wanted to buy the tickets. This was the only reason why we had to travel under false identities. But even if I had purchased the tickets from the office directly, I would have booked them using fictitious names. The reason was that the tone of the editorials in the *Hindu Rashtra* was becoming increasingly aggressive and the government had warned us that if we wrote and published any article which encouraged communal hatred and extolled people to become violent, they would prosecute us. On the 17th, Nathuram and I met Badge at VT.' He said the testimony that his accomplices and he had gone to Savarkar's home to meet him one last time, was a complete fabrication and a lie. Apte rejected the prosecutions' contention that he had gone to the prayer meeting venue on the morning of 20 January or that he had tested the revolvers in the forest behind the Hindu Mahasabha Bhavan. Explaining the reason why he had abandoned the plan to hold a demonstration on 20 January, Apte said, 'I left for Birla House at 4.30 pm, I met Shankar and Badge on the way and took them along in the taxi. Nathuram stayed back at Marina Hotel since he had a severe headache.' On

reaching the prayer ground he saw that none of the refugees he had met in the morning had turned up. 'I thought that it was essential that Nathuram Godse should also be present on such an occasion. So I returned with Shankar to Marina Hotel. Staying back was Badge's own wish. On reaching the hotel I narrated the entire incident to Godse.

'It is a lie that I met Badge that night at the Hindu Mahasabha Bhavan. He came to the hotel from the prayer meeting and told us about the bomb explosion. Badge behaved very peculiarly and looked worried. It was because he had given the gun cotton explosive to Madanlal who had been arrested for exploding it at the prayer meeting. When I reprimanded him, he immediately expressed a desire to return to Poona. We felt that Madanlal would confess that Badge had given him the explosives, and the latter would implicate us so it would be dangerous for us to remain in Delhi any longer.'

12 November 1948: Apte said, 'It is wrong to say that on 25 January Godse and I went to the home of G.M. Joshi and we met Karkare and Gopal Godse there. Actually Govind Malekar had seen me in the Elphinstone Hotel at that very time. I did not meet Gopal Godse there.'

Apte accepted the fact that to come to Delhi. 'Godse and I booked tickets in Bombay on 25 January for the flight on 27 January, we booked the tickets under the assumed identities "D. Narayanrav" and "N. Vinayakrav".'

Apte accepted that on 26 January he went to Mata Mandir, but did not demand that either Dada Maharaj or Dixit Maharaj should give him a revolver.

Replying to another question Apte said, 'Godse and I arrived in Delhi at 1.00 pm on 27 January, by air. We went to some refugee camps that afternoon and left for Gwalior at night.'

'In Gwalior we stayed at the Shri Krishna Dharamshala situated opposite the station. We did not meet Gariba, Goel or Kale at Gwalior.'

Apte said, 'It is reprehensible on the part of the prosecution to attempt to prove that we had gone to Gwalior to acquire a gun. In reality, if we needed a gun we could have easily procured one in Poona or Bombay.

'Our objective in going to Gwalior was only to recruit volunteers to participate in the demonstrations we had planned in Delhi. We were very keen to stage the demonstrations before we were arrested. We were fearful of our imminent arrest, because we believed that if Badge was arrested in the bomb explosion case, he would willy-nilly implicate us too.

'I had decided to meet Dr. Parchure in connection with the demonstrations in Bombay itself, because Parchure had already staged a successful demonstration with his volunteers at the Moti Mahal Palace. We did not succeed in Gwalior, so we decided to go to Bombay, but Godse told me to leave for Bombay and said that he would go to Delhi. We might be successful in recruiting volunteers, if we tried at different places, it might also work out for the better.'

Apte branded a lie, the contention of the prosecution, that he had been seen near the Delhi station booking office, on 29 January in the company of Godse and that the next day he was seen by witnesses, in the retiring room of Delhi station, along with Godse and Karkare.

Continuing to answer the questions, Apte said, 'I had left from Gwalior on 28 January. The next morning I caught a train for Bombay at Itarsi. I reached Bombay on 30 January. Immediately on reaching Bombay, I went to the Chembur refugee camp to recruit refugees for the demonstrations. That night I decided to leave for Poona, but at Victoria Terminus station, I came to know that Nathuram Godse had murdered Mahatma Gandhi. There was a lot of disturbance all around, so I thought it prudent to stay put at the station.

'The next morning I met up with Karkare at the Victoria Terminus station. I got Mrs. Manorama Salvi to send a telegram addressed to the office of the Hindu Mahasabha in Delhi, asking them to arrange for the defence of Nathuram Godse. I met a lawyer who advised me that it was futile to go to Delhi right away. That evening I met Jamunadas Mehta.'

Replying to additional questions, Apte said, 'I had stayed at the Chembur refugee camp on 31 January and 1 February 1948. On 2nd and 3rd February I stayed at Sea Green Hotel. From 3rd to 5th February I stayed at Elphinstone Annexe Hotel. I did not leave that hotel because the police was looking for me.

'From 5 February 1948 till 13 February 1948 I stayed at the home of G.M. Joshi. During this period Karkare met me four times. I went to Poona and stayed there from 8th to 10th February, but I left Poona since there the possibility of my arrest was much greater, because everyone knew that I was closely associated with Godse. It is true that on 13 February Karkare and I checked into the Pyrke's Apollo Hotel, using fictitious names "R. Vishnu" and "N. Kashinath".'

Apte refuted the prosecution's claim that his trousers were recovered from him in the office of the CID in Bombay. He said, 'The police brought a trunk into my room and gave me two keys. They asked me to remove a pant from the trunk. I don't know how my pant got inside the trunk.

'Before I was brought to Delhi, I met Karkare and Gopal Godse at the CID office in Bombay. They advised me to act according to the instructions of the police and to fully co-operate with them, otherwise I would be tortured as brutally as Gopal and Karkare had been. When I was taken to Dr. Parchure's home in Gwalior, the police told all of us to go to the backyard. I did not know how to go to the backyard, I turned towards the right but the police told me to turn left. I deny the fact that we had test fired the revolvers at that place.'

13 November 1948: Judge Atmacharan continued to crossexamine Apte, who said that he had known Nathuram Godse, Gopal Godse, Savarkar, Karkare and Badge before 17 January. He had also met Shankar Kistayya in Delhi, but claimed not to know Madanlal Pahwa at all. He was shown the specimen of his handwriting and the entries in the various registers and accepted it as his. He said that the incidents of 20 January and 30 January were unrelated. Even after the first incident, he had not even dreamt that a conspiracy to murder Gandhi was in progress. Apte said, 'To ascertain if there was foreign involvement in the conspiracy the police had shown me some documents. The police suspected that Great Britain and Russia were involved in this conspiracy. Later they realised that they were utterly wrong in their assumption. They arrested many Hindu Mahasabha and RSS members and collected a number of witnesses in an effort to build a fool proof case.' The court asked Apte if he wished to produce any witnesses in his defence. Apte replied in the negative.

15 November 1948: Reading his thirty-seven-page long statement in Marathi, the third accused in the Gandhi murder conspiracy, Vishnu Ramchandra Karkare, claimed that he was absolutely innocent. 'Me neerdosh aahe, hya kataat maza hath nahin, mala phasavla gela ahe', 'I am absolutely not guilty, My Lord.' He said that the conspiracy charge was very unclear and vague, and challenging the powers and jurisdiction of the court, he said it had not been given legal powers for it to be able to rule and give a judgement on the charges levelled against the accused.

Like Apte, Karkare too said that he was not present at the time of Gandhi's murder and that he was not, in anyway, involved in the conspiracy.

He said he heard about it from some people and then read about it in the newspapers.

Karkare joined the Hindu Mahasabha in 1938 and later became its secretary, Ahmednagar district. He said he got to know Madanlal in Ahmednagar. 'I knew that the Muslims were annoyed with me and I was under close scrutiny by the police too. I went to Bombay in the second week of January. On my return from there I learnt that the police was about to arrest me under the Public Security Ordinance. Madanlal suggested that I accompany him to Delhi to demonstrate against Gandhiji's pro-Muslim policies. I agreed.' He agreed that he had gone to Birla House on 20 January but afterwards got scared on hearing about Madanlal's arrest and then left Delhi for Mathura; after two days he left for Bombay. 'I met Apte in Bombay and on the 14th the police arrested me.'

Refuting Badge's testimony he said, 'Badge is a liar, he is untrustworthy and has a habit of conjuring up stories; he is a person about whom less said the better.' He said it was unfortunate that a person such as him was born in Hindustan. Referring to the forty-five witnesses who had testified to establish his involvement in the case, Karkare clearly said that, 'All of them have lied; they have given convoluted, exaggerated and unbelievable testimonies.'

He rubbished the analysis of the handwriting expert saying, 'It is an abortion of justice that first signatures and handwriting specimens of a victim are taken and they are used to convict him in the court of law. This goes against the established principles of justice.' About the local train tickets recovered from him at the time of his arrest, he quoted a statement of a witness who had said that during peak hours, when there was a rush of passengers, some passengers went out of the station without handing over their tickets. Even about the identification parade he said, 'The chief presidency magistrate of Bombay, Brown, has admitted that he was conducting an identification parade for the first time. I understand neither Hindi nor English. Knowing this, Mr Brown did not bother to translate the statement prepared in my presence into Marathi so I could understand what was being written in it. The parades were a mockery of the investigation procedures and must not be used as evidence to prove our guilt.'

He went on to say that if the prosecution had claimed that there were 265 witnesses, why were only 149 presented in court. What happened to the other 116? Why did the prosecution change its mind about producing them

in court? He claimed that there were discrepancies in the statements of many witnesses. He said that the testimony against him was doubtful and vague and he should be given the benefit of doubt; the court should declare him 'not guilty' and order his immediate release.

THE JUDGE QUESTIONS KARKARE

After Karkare finished reading out his statement in Marathi the court asked him some questions.

Question: 'There is evidence to prove that you had written a letter to Badge on 29 May 1947, in which you asked him to provide some bombs. Between July and December 1947 he supplied Apte and you with Rs. 3,000 worth of explosives. He had also sold a stengun to you during this period.'

Answer: 'I have not written any such letter to Badge. I always use my hotel letterhead to write letters. I have not purchased any weapon, explosives or stengun from Badge. I don't even know Badge.'

Question: 'On 9 January 1948, you, Madanlal, Omprakash and Chopra had gone to Badge's shop in Poona to inspect some explosives and bombs. Badge showed you some weapons.'

Answer: 'This is a pack of lies.'

Question: 'You visited Prof. J.C. Jain with Madanlal in the end of the first week of January. Madanlal introduced you as "Seth" to Jain. What do you have to say to this?'

Answer: 'It is a lie. During the period indicated from 8th to 10th January I was working in the Chembur refugee camp.'

Question: 'On 15 January 1948 you along with Nathuram Godse, Madanlal, Apte and Badge went to the home of Dixit Maharaj. A bag was brought in to the room and opened in your presence. Weapons, bombs and explosives were brought out of it. Badge and Dixit Mahraj demonstrated how they were to be used. Then the "stuff" was repacked in the bag and Apte handed it over to you with the instructions that you should leave with it that very evening for Delhi.'

Answer: 'These are total falsehoods and lies.'

Question: 'On 15 January 1948 before going to the home of Dixit Maharaj, Godse, Apte, Shankar and Badge met you near the Shivaji Press. You, Godse and Apte spoke with G.M. Joshi. After this all of you went to Hindu Mahasabha Bhavan, Dadar. You, Godse, Apte Madanlal and Badge

went by taxi to Dixit Mahara j's home. Madanlal's bedding was kept in the taxi. What do you have to say to this?'

Answer: 'Absolute lies.'

Question: 'On 15 January Madanlal and you left for Delhi by the Express departing at night and reached Delhi at noon on 17 January. On the way you struck up a conversation with Amchekar. You told him that you were a Hindu Mahasabha activist and were going to Delhi on Sabha work. On reaching Delhi you introduced Madanlal to Amchekar.'

Answer: 'It is true that Madanlal brought me from Bombay to Delhi on 15 January. I had accompanied him to Delhi to assist and participate in his wedding. Later, Madanlal told me that the Punjabi refugees in Delhi were planning to take a delegation to meet Gandhiji, and requested me to join them. But since the police were after me, I did not want to participate in the delegation openly. I told him that I would act only as an observer. I did not see Amchekar till the time that the train reached Delhi station. In the meantime Madanlal was trying to get a tonga at the station. I asked Amchekar, "Where are you going?" I told him that he could stay with us in a hotel. I took him towards a tonga; Madanlal was standing there and I told him that Amchekar was also a refugee.'

Karkare denied going to the Hindu Mahasabha Bhavan with Godse and Apte, late in the evening of the 19th. He went on to deny meeting Shankar, Gopal Godse or Badge there, going to Marina Hotel to meet Apte and Godse and going to the Hindu Mahasabha Bhavan on the morning of the 20th. Karkare denied being with Apte and Godse in the retiring room at Delhi station on 29th and 30th January saying it was absolutely false and a figment of someone's imagination. He claimed to be in Bombay then.

'I did not know Godse before leaving for Delhi on 15 January. I know Apte since 1936. I met Madanlal in December 1947. I did not know either Shankar Kistayya or Badge. I had seen Savarkar at public meetings, I have never met him personally.'

16 November 1948: Karkare admitted that the handwriting specimens taken at the CID headquarters were his, but denied that the entries in the registers of the hotels Frontier, Sea Green and Elphinstone Annexe were his.

'I met Apte at the VT station on 31 January. He was shell-shocked on hearing the news that Nathuram Godse had murdered Gandhiji.' In the end Karkare said, 'I have been arrested and implicated in this conspiracy by the

police merely due to the fact that I was present in Delhi on 17 January 1948.'

MADANLAL'S STATEMENT

Next, the fourth accused in the Gandhi murder trial, Madanlal Kashmirilal Pahwa, read out his written statement. 'I accept that on 20 January 1948, when Gandhiji was conducting his evening prayer meeting at Birla House, I exploded a bomb made of gun cotton explosive.'

Madanlal read out his twenty-one-page statement in court. He said he had taken every precaution to ensure that Gandhi would not be injured in any manner due to the explosion. He said Badge had given him the hand grenade and the gun cotton bomb. Madanlal said he thought it was a good way to make him hear the pleas of the harassed refugees. 'I wanted to ensure that I would receive all the kudos for the action. I believed that my action was akin to that of a satyagraha.

'On 12 January when I was in Delhi I heard that Gandhiji was going on a fast unto death, to force the authorities to rehabilitate Muslims in Delhi. I was very saddened by this news. On the night of 24 January I learnt that the Government of India was forced to pay Pakistan Rs. 55 crores, because of the force exerted on them by Gandhiji's fast. It was during this period that my father wrote to me to immediately reach Jallundhar to finalise plans for my marriage. But forced by the unfolding events, I decided to first go to Delhi and only then to Jallundhar. In New Delhi, I felt that since Mahatma Gandhi was always surrounded by Muslims, he was unable to hear the cries of the refugees. So I became determined, in any manner possible, to make him hear the refugees and display our displeasure against his fast.

'I was a resident of the Pakpattan tehsil of Montgomery district, now in Pakistan. For some time I worked as a wireless operator. I had to leave my birthplace after the division of our motherland. I somehow managed to reach Delhi.' He then talked about his early business ventures of selling fruit and later, Prof. Jain's books.

'The testimony of Badge, the approver, claiming that I was supposed to attack Gandhiji with a hand grenade after exploding the gun cotton bomb is a white lie. It has been shown that after lighting the fuse of the gun cotton bomb there was a lapse of one and a half minutes till the bomb exploded. If Badge's testimony is to be believed, that I was supposed to attack Mahatma Gandhi after the explosion, I had ample time to reach a spot near Gandhiji,

so as to be able to attack him. It is clear for the court to see that I did nothing of that sort. This itself demolishes the prosecution's allegation that I am involved in the conspiracy to murder Mahatma Gandhi.'

At the end of his statement he said, 'There was no conspiracy to murder Mahatma Gandhi. Even if there was one, I was in no manner involved in it.'

MADANLAL QUESTIONED

After he finished reading out his statement the judge questioned Madanlal.

Question: 'Testimony has been heard about your introduction to Dr. J.C. Jain in October 1947. It was decided in the presence of Angad Singh that you would sell his books for a twenty-five percent commission. You received correspondence at Dr. Jain's address too. Two letters thus received were forwarded to you at your Ahmednagar address.'

Answer: 'This is correct.'

Question: 'In the first week of January, you took Karkare to meet Dr. Jain and introduced him as "Seth". Two or three days later you had a long chat with Dr. Jain, during parts of which Angad Singh was also present. Jain has referred to your exploits, your meeting with Savarkar and the conspiracy to murder Mahatma Gandhi in his testimony. What do you have to say to this?'

Answer: 'These are lies and falsehoods.'

17 November 1948: Madanlal's questioning continued.

Question: 'It has been substantiated that two days later you met Dr. J.C. Jain. He had asked you then if you had considered his advice. You had replied that you could not do anything without consulting Karkare and that you treated Karkare as a father figure. A day or two later you again met Dr. Jain and told him that you were going to Delhi.'

Answer: 'These are absolute lies.'

Replying to another question, Madanlal refuted the allegation that on 9 January, he along with Karkare and others had gone to Badge's shop in Poona, where after Shankar had showed him some explosives, he had said, 'I can use these'. He said, 'I was not in Poona on that day, I was actually in Khadra, a village on the border of Hyderabad state. I had spoken to some Congress workers there and suggested that we should blow up the four bridges which were being used by the Razakars to attack border villages in the Indian Union.'

Question: 'On 15 January 1948 while you were at the Hindu Mahasabha Bhavan in Dadar, Badge, Apte, Godse, Karkare and Shankar met you. All of you, except Shankar, got into the taxi brought by Apte. You even put your bedding in the taxi. Then all of you went to Dixit Maharaj's home. You kept your bedding in the hall and then all of you entered the inner room in the house. Is this correct?'

Answer: 'These are lies. Actually I met Nathuram Godse, Apte and Shankar for the first time in the CID office in Bombay on 14 February 1948, or so. I had met them there with the police.'

Question: 'A bag was brought out at Dixit Maharaj's home, which contained two pieces of gun cotton explosive, five hand grenades and some accessories. Dixit Maharaj and Badge demonstrated. Then Badge gave the bag to Apte and he handed it over to Karkare. Karkare then gave the bag to you and asked you to tie it up inside your bedding. Then Karkare and you went out of the room.'

Answer: 'These are lies. I had gone to Dixit Maharaj's home in 1947 along with Dr. Jain. He gave me some clothes for the refugees. I again went to him, twice or thrice, in November 1947.I did not visit Dixit Maharaj in January 1948.'

Replying to a question the accused said, 'I reached Delhi with Karkare on 17 January. I don't remember if Shantaram A. Amchekar was travelling in our compartment. I had seen a man with Karkare at the tonga stand, at Delhi station; Karkare introduced him to me.'

Question: 'Karkare, Amchekar and you travelled by a tonga and first went to Hindu Mahasabha Bhavan then on to Birla Mandir and finally reached Sharif Hindu Hotel.'

Answers: 'All these allegations are a bunch of lies. We had directly gone to the Sharif Hotel. On 16 January one of my relatives came to meet me at the hotel. I am not aware that Amchekar was taken to the Transfer Bureau by him. I saw Gopal Godse for the first time at the office of the CID in Bombay. I had told Amchekar that I was going to stay at my relative's place in connection with my impending engagement.' The accused accepted having stayed at the Sharif Hotel from 17th to 19th January and having written in English in the hotel registers. He said, 'Later I had stayed with the family of my proposed bride.'

Question: 'On 20 January you along with Gopal Godse, Nathuram Godse, Apte, Shankar and Badge were present in Room 40 of the Marina

Hotel. Gopal Godse repaired a revolver. You, Apte and Karkare went into the bathroom and prepared the gun cotton explosives for use. At this time Nathuram Godse said, "Badge, this will be our last attempt, the work must get done". After this, weapons, bombs and explosives were distributed. It was also decided that Nathuram Godse and Apte would signal the others and you would set fire to the fuse of the gun cotton bomb. Taking advantage of the chaos and stampede as a result of the bomb explosion, the others would attack Gandhiji with hand grenades and fire at him.'

Answer: 'This is brilliant fiction, a pack of lies. Two days after breaking his fast, on 20 January, I came to know that Gandhiji would attend the prayer meeting that evening. I met Badge at the refugee camp; he told me that he had come to Delhi to sell weapons and explosives to the refugees. He gave me a gun cotton slab and a hand grenade as a sample. I though that I must explode the gun cotton slab at a safe distance from Gandhiji, so that he did not receive any injuries and get myself arrested in this manner.'

The accused claimed that he had travelled to Birla House not from Marina Hotel but from the Sabzi Mandi area. 'I was carrying a gun cotton bomb and a hand grenade on my person. When I was arrested I was not wearing the coat which is part of the authenticated evidence. None of the accused was with me at that time.'

Question: 'After your arrest, you were taken to the police camp outside Birla House. You were searched and a hand grenade was found in the inside pocket of the coat you were wearing. Is this correct?'

Answer: 'This is right. Actually I had informed the police that I was carrying an unused hand grenade. After my arrest I asked the police to take me to meet Mahatma Gandhi. But they took me to the Parliament Street Police Station. The police questioned me there, and beat me up mercilessly. I told the police that I had got the explosives from Badge who was staying in the refugee camp. His accomplices were staying in Marina Hotel. The police took me there, but those people had vanished from there. I was then brought back to the Parliament Street Police Station. I left for Delhi on 15 January 1948. Then I only knew Karkare, I did not know any one from among Nathuram Godse, Apte, Badge, Shankar Kistayya and Savarkar.

'I do not wish to say anything against those witnesses who identified me during the identity parade. But I will definitely say that I was kept on the second floor of the CID Office in Bombay, and that place was open to the general public. Thus many people had come and seen me.'

On being questioned further, Madanlal said, 'I was kept in the Civil Lines Police Station from 20 February till 3 March 1948. During this period an inspector visited me very often with papers and alleged that I had conspired to murder Mahatma Gandhi in collaboration with the Sanghis, members of the RSS, of Jallundhar and Amritsar.

'On 4 February 1947 (this should be 1948) I saw Badge in the office of the CID police in Bombay. I immediately had told the police that this person had given me the gun cotton explosive and the hand grenade in Delhi. The police told me that I was involved in the murder conspiracy along with Nathuram Godse, Apte and Savarkar, but I denied the allegation. Then the policemen threatened me "If you don't accept the existence of a conspiracy and your involvement in it, we will stuff your mouth with beef". This was horrifying; it would have polluted my religion and condemned me to hell for eternity. I broke down and agreed to make a confession in the presence of a magistrate.

'I do not wish to say anything more against the allegations of the prosecution or in defence of my innocence.'

18 November 1948: Judge Atmacharan began questioning the fifth accused, Shankar Kistayya, to ascertain his involvement in the conspiracy.

Shankar was unlettered so, unlike the first four accused, he had not prepared any written statement to accept or refute the charges levelled against him by the prosecution or to accept or dispute the testimonies of witnesses. He could only speak Telugu and bits of broken Marathi and therefore a translator was used.

Shankar informed the court, 'I am about twenty-years-old. I am a domestic servant and a resident of Sholapur.'

Before his questioning began, responding to a plea by Bannerjee the court ordered the removal of approver Badge, Shankar's employer, and the jail authorities from the courtroom.

Shankar said, 'I was employed by Badge in 1946, I have worked as his servant ever since. Initially I used to carry weapons and explosives from Badge's home to Bombay, on many occasions. I used to also wash his clothes. In addition I used to look after his arms shop and take care of odd jobs and run errands for him. From July to December 1947, Badge supplied a lot of weapons, bombs and explosives to Apte and Karkare. They used to come to Badge's home to pick up the "stuff", many times. At about 8.30 pm on 9 January 1948, Karkare, Madanlal and two others came to Badge's

shop. I brought out two bags and gave them to Badge, and then I went into another room. After that I don't know what transpired.

The weapons, bombs and explosives were stored in the backyard, hidden under a mound of bricks and stones. Of the two bags I gave to Badge, one was of jute and the other was of khaki cloth. Both were tied together. The bags were never opened in my presence. Badge had ordered me that whenever he asked for them I should bring them out. On 13th January, Badge asked me to pack some weapons, bombs and explosives in a bag. The next day Badge and I left for Bombay; we reached Dadar the same day at 7.15 in the evening. We both sat in different bogies in the train. He had ordered me to get down at Dadar and meet him outside the station. When I asked him why we were travelling to Dadar, he told me that we were going to Bombay to deliver weapons, bombs and explosives to Apte and Nathuram Godse.

'Badge and I went to the Hindu Mahasabha office at Dadar. We waited there for almost fifteen minutes. When we started climbing down the stairs, we saw Apte. At that time I saw Nathuram was standing about ten paces away. They asked me to stay at the office, and all of them left. At 10.30 they all came back in a car and we went to Dixit Maharaj's home. Badge ordered me to take the bag out. The three of them went into the house. When they came out they were not carrying the bag. Badge and I returned to the Hindu Mahasabha office.

'On 15 January, Nathuram Godse, Apte and Badge went and met Karkare at the Shivaji Printing Press. I too had gone. Badge and I left for Poona that very night. On the 16th Nathuram Godse came to Badge's house twice, looking for him, but both times Badge was not at home. I told Badge about Nathuram's visit when he returned home. At 2.30 am on 17 January, Badge and I left for Bombay. Badge gave me one pistol and four bullets to take to Bombay. That day Badge, Apte, Nathuram Godse and I went to Shivaji Park in a taxi. I did not know whose home it was. (According to the prosecution this wasSavarkar's home.) Leaving me sitting in the taxi the others got out. I do not remember the number of the taxi, but the driver who testified in this court was the one who drove us around that day.

'I don't know what they talked about amongst themselves, after coming out. They used to speak in Marathi and English. I reached Boribunder Station on 18 January, along with Badge. He purchased two tickets and we reached Delhi the next day at 9.30 in the evening and proceeded to the

Hindu Mahasabha Bhavan. We were shown a room to stay in. A light was burning in the room which was occupied by three people. One of the persons had a beard similar to Badge's; he was sleeping. The other two were Madanlal and Gopal Godse. Both of them were sitting on their beds and chatting. Badge had introduced them to me. About twenty minutes later Nathuram Godse, Apte and Karkare came there. They took Badge outside and talked to him. What they talked about, I don't know.

'Next day, early in the morning, Badge asked me to wash his clothes. Apte and Karkare came back. Karkare told me that he had given some money to Madanlal to buy firewood. Then Karkare and Apte left, but returned after a while. Badge, Apte and I went to Birla House, while Karkare stayed back.

'We were stopped at the gate of Birla House by a policeman. He asked us who we wished to meet. Apte wrote something on a chit and gave it to him. Two persons were going into Birla House at that time. Apte pointed to one of them and said something to Badge, but I did not understand. We went to the rear of Birla House, and entered the prayer meeting place. Apte took out a string from his pocket, he measured some things and spoke to Badge. I asked him what they were talking about, but Badge said it did not matter. Then we went back to the Hindu Mahasabha Bhavan.'

Shankar then went to describe the events that took place in the forest behind the Hindu Mahasabha Bhavan. 'Back at the Bhavan, Karkare asked Madanlal to remove the bag from his bedding. Madanlal took out the bag and left with Karkare. Gopal took out a white bag; Apte, Godse, Badge and I went to Marina Hotel, at which time Gopal was carrying the white bag.'

19 November 1948: Kistayya's questionning continued. 'It is correct that Gopal Godse, Apte, Badge and I went from the Hindu Mahasabha Bhavan to Marina Hotel. Gopal Godse repaired his revolver there. They spoke amongst themselves for a while. Karkare dyed his moustache and eyebrows and painted a large tilak on his forehead.' Kistayya then narrated how they went to Birla House. He saw Madanlal being arrested and then both Badge and he slipped out and went back to the Hindu Mahasabha Bhavan. He added, 'Badge appeared to be verys cared then. On his orders I buried the hand grenades under stones and bricks behind the bhavan and disposed the rest of the stuff, but kept the bag. When I was returning I saw Apte and Nathuram Godse leaving and I asked Badge what the matter was. He was very angry and slapped me hard. We went to the station where Badge

bought two tickets for Bombay. From there I went to Sholapur and on returning to Poona I learnt that Badge had been arrested. I went to Dixit Maharaj's home in Bombay and met his domestic servant. He took me to the office of the Bombay CID. There Nagarvala gave me a hard slap and asked, "What have you done?" I told him everything.

'I don't wish to say anything about the identification parade. I was Badge's servant. That is why I went with them to Delhi. I know nothing about the conspiracy. I do not wish to produce any witnesses to refute the claims of the prosecution or to support my statement.'

In his statement the sixth accused, Gopal Vinayak Godse, denied in strong words that Gandhi's murder was the result of a plot or conspiracy.

He read out his fifteen-page statement. 'Between 1 December 1947 and 30 January 1948 I did not enter into any plot or conspiracy, at any place or at any time, to commit any illegal act such as the murder of Mahatma Gandhi.' He denied that between 10 and 20 January 1948, in accordance with a plot or conspiracy, he arranged to send any illegal or other kind of weapon, bomb or explosive to Delhi and did not possess any explosive stuff or any lethal weapon. He also denied being in Poona, Bombay or Delhi between 17 and 25 January. Gopal added, 'Contrary to what has been claimed by the prosecution, I was not arrested on 5 February from Uksan. Under the pretext of protecting me, the police took me to Bombay and told that I was being arrested for my involvement in the murder of Mahatma Gandhi.' In support of his claim of having been at some other place at the time of the tragedy, he said he had never participated in any of the political actions of his brother Nathuram or harboured ill-will or hatred against any religious group or persons, including Gandhi. He said he was a devoted servant of the government. 'On the day of the bomb explosion I was in my ancestral village Uksan and on the day of Gandhiji's murder I was working in my office at the Military Ordinance Depot in Kirkee.'

He rubbished the testimony of the handwriting expert, Gajjar, and said that the witnesses who had identified him had been allowed to take a 'good look' at him before the identification parade was conducted. 'The police had taken my photographs in Bombay. On the first day of the trial, press and cameramen had taken my photographs. Everyone recognised me due to the photographs published in the newspapers and the film of the trial shown in the cinemas.

'In the end I only wish to state in all honesty that I am innocent of all charges levied against me. I beg of this court to do justice by me and order my release, with an untarnished reputation and with my honour restored.'

When he was questioned, Gopal denied any knowledge of Nathuram nominating his wife on his insurance policy.

Question: 'You went to the Sharif Hotel [Delhi] on 19 January. You made inquiries there as to which room Madanlal was staying in. You stayed there till the evening along with Madanlal and Karkare.'

Answer: 'This is not correct. Also, I did not stay at the Hindu Mahasabha Bhavan on the night of 19 January. I saw Madanlal, Shankar and Badge for the first time at the CID office in Bombay.'

Then followed questions relating to his visit to Marina Hotel; repairing the revolver; going to Birla House in a taxi; and making entries in the hotel register of the Frontier Hindu Hotel in his own writing. Gopal denied everything. He said, 'I did not meet Nathuram between 24 and 26 January. Nor did I see Apte and Karkare at the Elphinstone Annexe hotel in Bombay.'

Gopal agreed that the handwriting specimens were his, but it was under pressure from the police that he was made to write in a specific manner. 'The police had tried to get me to admit that I had provided the pistol to Nathuram. When I refused, I was mercilessly beaten up and subjected to inhuman torture for three days.

'I do not wish to present any evidence either rebutting the charges levelled by the prosecution or in support of my statement.'

20 November 1948: 'I say with absolute sincerity and heartfelt honesty that I am innocent of the charges levelled against me by the prosecution. I am not involved in any plot or conspiracy in any manner whatsoever; neither did I have any prior knowledge about any such illegal actions or plots. I have done nothing, as has been alleged in the charges filed against me, there was no reason for me to get involved in such a conspiracy either as a participant or as a patron.' These were the opening remarks of the statement of seventh accused in the Gandhi murder trial, Vinayak Damodar Savarkar, also called 'Swatantraveer', 'Braveheart of Freedom'.

Reading out his fifty-seven page statement in court, Savarkar gave a detailed account of his life, so that he could state his position with absolute conviction. Then he began talking about the Hindu Mahasabha. He said, 'Ten years ago I built a two-storey house and named it Savarkar Sadan. A

hall on the ground floor of my home has been given permanently to the Hindu Sangathana for its office. Since the past few years A.S. Bhide lives as a tenant on the right of the hall and on the left resides my secretary J.B. Damle with his family. I stay with my family on the first floor. I was elected the president of the Hindu Mahasabha for the first time in 1937 and held that post for the next six years. Finally, I resigned from the post due to ill health. The objective of the sabha is to organise and unite Hindus and turn them into warriors.

'Hindus are in a majority in India. My party was of the opinion that India should become a secular democracy in which all its citizens would have the same rights and privileges irrespective of their religion, caste or gender. But my party was opposed to the practice of depriving the Hindus of their rights and privileges and favouritism shown to the Muslims. The charges levied against me have been based on two vague sentences. I had refused to write for Godse and Apte's paper *Agranee*. I had once helped them financially, but later had refused any further aid. On many occasions I had refused to allow Godse to accompany me on my travels. It is possible that Apte could have lied to Badge while telling him that "Savarkar has ordered the killing of Nehru, Suhrawardy and Gandhi". He may have been trying to malign me in the eyes of the Hindu organisations. Apte has been shown to be a person of malicious intentions by the prosecution. Adept at assuming fictitious identities, travelling under false names, giving false addresses in hotels, illegally selling contraband arms and weapons, Apte is portrayed to be a person with chameleon-like capabilities. Apte denies that he had mentioned any such thing to Badge. If Badge had so much faith in Savarkar and was so devoted to him, why did he run away from Delhi to save his life? May be the police wants to hunt for glory by implicating a big name?

'I have played a role as a soldier in many of the battles that have been fought for the independence of our motherland during the past fifty years. I have not sacrificed less than any of the freedom fighters of my generation. Gandhiji had written many words of praise for me in his *Young India*."

Savarkar continued, 'I know Nathuram Godse, Narayan Apte, Dr. Parchure, Karkare and Badge only because they are Hindu Mahasabha workers. Nathuram was specially introduced to me. Apte was introduced to me in a letter, stating that he was a worker of the sabha in Ahmednagar. Dr. Parchure came in contact with me as the leader of the Hindu Mahasabha in Gwalior. Karkare was elected as the chairman of the Ahmednagar

municipality on a Hindu Mahasabha ticket. Badge had written a letter to me and introduced himself as a member of the Hindu Sabha, saying that he sold weapons for which no licence was required.

'If the correspondence between Apte, Godse and me is analysed it will be apparent that it does not contain any illegal material and our relationship, based on the correspondence, is absolutely legal. Apte and Godse wished to secure investment and moral support from me to start a Marathi daily. I gave them Rs. 15,000. The funding was not given because it was a Godse-Apte publication but because it was a Hindu Mahasabha publication. Godse and Apte had absolute powers to decide about the philosophy and editorial policies of the publication. I had no influence over them or their publication.

'Godse used to be a part of my entourage during my travels in his capacity as a representative of the press. This relationship was only due to his being an office bearer of the Hindu Mahasabha. It would be preposterous if this casual and strictly official contact is stretched to the limits of ludicrousness, as proof enough to brand me a conspirator in the murder of Mahatma Gandhi. I have never heard the names of Gopal Godse, Madanlal and Shankar, and I do not know them at all.

'Badge has mentioned in his testimony that I had made a speech, during an informal meeting at Savarkar Sadan in 1946, in which I had said "The policies adopted by the Congress are detrimental to the wellbeing of the Hindus. An economic boycott of the Muslims must be organised. If Muslims attack Hindus, Hindus must seek revenge and equip themselves to defend against such attacks". This is a product of his fertile imagination, a pack of lies. There have been no such meetings, ever. Even if for the time being we believe that such a meeting had taken place and that I had said everything which has been claimed in Badge's testimony, it in no way connects me to the murder conspiracy.

'Badge has said that he had gone to Savarkar Sadan with Apte and Godse. He waited outside and the other two went inside. How can this be construed to mean that since they had gone inside they had met me before coming out? Apte and Godse could have gone in to meet their friends and fellow workers there. There is no reliable witness who can confirm this incident.

'Badge claims that Apte asked him to accompany them to Delhi. Apte told him that Tatyarao has declared that Mahatma Gandhi, Pandit Nehru and

Suhrawardy have to be finished off, and this work has been entrusted to them. This testimony is absolutely false. Apte may have invented this malicious lie to be able to conscript Hindu Mahasabha volunteers to do his nefarious deeds. My name may have been used to lend credibility to this evil lie. Apte and Godse have vehemently denied the charges levied against me.

'Badge claims that I said, "Yashsvi houn ya", "come back after achieving success". About this I have only this to say, Apte and Godse did not meet me on 17 January 1948 or on any other day around then. Even if it is accepted that they may have come to Savarkar Sadan, there is no reliable witness to prove that they met me and discussed anything about the murder conspiracy. The major part of Badge's testimony is made up and fabricated and the rest cannot be used against me, since it lacks credibility and honesty.'

About actress Shanta Bhaskar Modak's testimony, he said that as she did not see Apte and Godse entering Savarkar Sadan, it could not be used to prove that they had met him. 'Dr. Jain's testimony is dependant on what Madanlal told him and so is not admissible. The testimony of the Home minister of Bombay Province, Morarji Desai, cannot be used against me due to certain technical flaws.

'Even from ten thousand letters they could not find any objectionable matter. Having an acquaintance with the other accused is not ground enough to prove my complicity in the conspiracy. All the charges made against me by the prosecution are hearsay and mere allegations; they have failed to prove any of them beyond reasonable doubt. Thus, My Lord, I am absolutely innocent, and I must be honourably acquitted.'

In the end Savarkar displayed the press announcements he had made condemning the arrests of Nehru in 1940, and Gandhi and Nehru in 1942, to the court. He submitted the plea he had made to Gandhi to abandon his fast in 1943, and criticising the attempt on Jinnah's life. He also produced the statement where he had in very clear terms and strong language condemned Gandhi's murder. 'It is evident from these statements made by me from time to time, how much I respect the leaders of the various parties. I consider it a privilege I have remained alive to see the liberation of my motherland. There is no doubt that one part of my life's dream remains yet incomplete. But I have not given up on striving to make my dream a reality. The unification of my motherland, from Sindhu to the seas has yet to be

achieved. To achieve this, it is very essential that we unify and strengthen all that we have been given. I have always implored the citizens to stand solidly behind the Union government, no matter which party heads the government. I have accepted the new national flag. The Working Committee of the Mahasabha passed a resolution supporting the Union government. A leader of the Mahasabha, Shyamaprasad Mukherjee, is a minister in the Union Cabinet.

'A Hindu sangathana was formed by disgruntled members, who were opposed to certain decisions of the Mahasabha. They claimed that by recognising the Indian Union the Mahasabha had accepted the formation of Pakistan. By supporting a government which had failed to protect the lives and properties of hundreds of thousands of Hindus in West Punjab and East Bengal, the Hindu Mahasabha had betrayed Hindu interests. Apte and Godse had joined the rival unit. They were die-hard believers of the Hindu supremacist ideology and thus were extremely critical of all that they felt was going against their beliefs and what was perceived to be a softening of the Hindu cause. In 1942 many Congress workers broke the covenant of non-violence given by Gandhiji, and indulged in acts of sabotage and violence using Gandhiji's name. But even the British did not prosecute Gandhiji for this.'

At the end of his statement Savarkar said, 'The prosecution has failed to substantiate any of the charges levelled against me. Thus the order for my release must be given post haste.'

It took Savarkar nearly two and a half hours to read his fifty-seven page long statement. Even though his health was very fragile, Savarkar read his statement while standing, in a very clear voice. While reading the twenty-seventh paragraph on the fifty-first page of his statement, where reference was made to the vivisection of India, his voice choked up and there were tears running down his cheeks. He could not speak for some time; he wiped his tears with a handkerchief and then continued to read out his statement in a dignified manner.

The clever barrister and tactician had built a very competent defence case for himself. Exploiting the weak case built against him by the prosecution, Savarkar was easily able to discredit the evidence and the testimony of witnesses against him. He managed to establish sufficient grounds to cast doubts on the testimony against him. The truth about his involvement in the plot to murder Gandhi was buried in a pact of silence

between him and his proteges; Vinayak Damodar Savarkar, Nathuram Vinayak Godse and Narayan Dattatreya Apte knew the truth but they never revealed it. Savarkar's statement was able to prove that the prosecution's case against him was not substantial; but it was not convincing enough about his innocence.

After his statement the court asked him some questions.

Question: 'It has been said by witnesses that in the first week of January 1948, Madanlal told Dr. Jain, that you had listened to a report of his exploits in Ahmednagar. You had called him to meet you. You had spoken to him for almost two hours, and from time to time you patted him on his back and congratulated him on his heroics, with a loud "well done".'

Answer: 'These are blatant lies.'

Question: 'At 9.00 pm on 14 January 1948, Nathuram Godse and Narayan Apte came to your home. They were carrying a bag containing explosives and bombs. After some time they left your home.'

Answer: 'These are lies.'

Question: 'On the morning of 15 January 1948, in the compound of Dixit Maharaj's home, Apte told Badge in Nathuram Godse's presence that you have decided that Mahatma Gandhi, Pandit Nehru and Suhrawardy were to be finished off. And you had assigned this task to them.'

Answer: 'I have never said any such thing to Apte, Godse or any other person.'

Question: 'On 17 January, Nathuram, Apte and Badge went to your home. After approximately ten minutes Apte and Godse came out. You also followed them out. You said "Yashasvi houn ya", "Succeed and come back".'

Answer: 'This is not true.'

Question: 'Later in the taxi Apte told everyone that you have predicted that Mahatma Gandhi's hundred years were now over.'

Answer: 'I have never said this to anyone. I cannot say anything about what transpired between them.'

Question: 'On the morning of 19 January a trunkcall was made from Delhi for Damle or Kasar. Damle is your secretary and Kasaryour bodyguard.'

Answer: 'I have no knowledge about the telephone call. Yes, Damle is my secretary and Kasar, my bodyguard.'

Question: 'On 31 January, many letters and documents were recovered during the search of your home. Some of them bear your signatures and those of Godse and Apte.'

Answer: 'Yes, they do.'

Question: 'Prior to 17 January 1948, you have been shown to have been very closely acquainted with Nathuram Godse, Apte, Karkare, Parchure, Badge and Madanlal. Is this correct?'

Answer: 'I knew Godse and Apte well in connection with their work for the Hindu Mahasabha. I had heard the names of Karkare, Parchure and Badge, but I did not know them personally. Madanlal was not known to me.'

On being asked, Savarkar said, 'I do not wish to say anything further in my defence or present any witness either.'

Next the eighth accused, Dr. Dattatreya Sadashiv Parchure, read out his fifteen-page statement in court.

'Neither on the basis of any facts nor on the basis of any incidents can this special court prosecute me. I am a patriotic citizen of the government of the princely state of Gwalior. I was born in Lashkarand studied there. I have not stayed in British India ever in my life. Thus the proceedings against me are illegal.'

He vehemently denied ever entering in a pact to murder Gandhi with any person or organisation and that he gave his approval for the same. He refused to believe that Gandhi's murder was the result of a conspiracy.

He denied that Godse and Apte had stayed at his home in Gwalior. 'The truth is they had come to my house early in the morning, at 7.30 am on 28 January. I was annoyed to see them, but out of politeness I spoke with them, gave them tea and told them that I had to leave to go to the dispensary. I left my home, alone, at 8.00 am. They came back around 4 o'clock that afternoon. During the course of conversation, Apte mentioned that they had come to Gwalior to seek my help in providing some volunteers to participate in the demonstration they were planning to stage in Delhi. I flatly refused to do any such thing.

'I knew Godse; he was an RSS worker and had been a chief organiser of the sangh. He used to publicise their activities in his newspaper *Hindu Rashtra*. I did not like it because the sangh used to always stay aloof from the Hindu Mahasabha so I refused to provide volunteers. I invited them to have dinner with me that evening, but they did not turn up. After that I did

not see them in Lashkar again. The allegation that they had discussed with me or in my presence about procuring a revolver, is a blatant lie. They did not test a revolver in my house.'

Referring to his 'confessional statement' he said that he had been forced to sign on a prepared statement. He said he had been kept in solitary confinement for seventeen days in a cell with stone walls. A CID officer of Gwalior police, Khijr Muhammad, had told him, 'I will now take revenge because you are the leader of the Hindu Mahasabha in Gwalior'.

'I was humiliated even when I was kept in the barracks. Deulkar would alternately threaten me, and then give me advice. He told me all the members of my family had been arrested and were being treated in a similar manner. All the police officers continuously advised me to sign the statement prepared by them to end all my troubles. When I refused, they told me, "Think about your family, they will have to suffer because of your refusal"

'Finally I decided to sign the statement according to the orders of the police after thinking of the plight of my family and most importantly, about my eighty-year-old mother.

'One day at dawn Magistrate Atal came to meet me along with some officers. He placed some papers in front of me and asked me to sign them. I signed wherever I was asked to. It is not true that he asked me questions or even recorded my statement. Since the aforementioned signed statement is not my "confessional statement" it must not be accepted and acted on.'

At the end of his statement Parchure said, 'With reference to the charges framed against me, I have only this to say, I am innocent and must be acquitted immediately.'

22 November 1948: Replying to questions asked by the judge, Parchure said, 'Godse and Apte had not come to my home on 26 January, nor did they spend the night at my place. They did not testfire any pistol in my backyard. It is wrong to say that I had arranged, through Dandavate, to get them a pistol. Accused Dandavate is a proclaimed absconder. On hearing the news of Gandhiji's murder I did not say that a very good deed has been done and Hindu religion is now out of danger.' He added, 'The signature on the statement I had made in the presence of a magistrate is mine, but I have described the circumstances under which I had signed the statement.'

The court asked him the reason for him being tried by the court. He answered, 'Some people gave false and malicious testimonies against me

under pressure from the police, while some have testified against me because of personal enmity. He complained that magistrate Atal of Gwalior, had suddenly received a promotion with a raise of Rs. 100— 'both were rewards for him having testified against me in this case'.

Finally he said, 'I do not wish to call on any witness to testify about my innocence or in support of my statement.'

1 December 1948: The third phase of the Gandhi murder trial began. The chief prosecutor, C.K. Daftary, began his summing up.

'This special court and Special Judge Atmacharan are empowered to try this case. By a special ordinance the special judge was given the powers to grant a conditional pardon to the approver. The ordinancehas now been converted into an Act.'

Referring to the charges framed by the prosecution against all the accused, Daftary said, 'The murder of Mahatma Gandhi is not an action of Nathuram Godse individually. He was induced and encouraged and a conspiracy was hatched. Badge had an association with Apte since 1947. He would meet Apte in the office of *Hindu Rashtra* and sell him weapons, bombs and explosives. Badge's servant Shankar also used to be present then. Madanlal met Prof. Jain along with Karkare on 10 January; he had introduced Karkare to him as 'Seth'. Two-three days later Madanlal again met Prof. Jain, and narrated his exploits in Ahmednagar. At that time he told Jain about the conspiracy to murder Mahatma Gandhi.

'The 13th and 14th of January 1948 are very important dates. The court must take note of them. On the 13th Nathuram Godse nominated Apte's wife as a beneficiary on one of his life insurance policies and on 14 January he nominated his brother Gopal's wife as a beneficiary on the other policy. Nathuram and Apte have said many things in this court but have not said why these nominations were done.

'On 14 January, Apte and Godse came from Poona to Bombay. Badge and Shankar too travelled to Bombay with the arms and explosives. Gopal Godse had also submitted a leave application at Kirkee seeking leave from the 15th. This means that all of them had planed to meet in Bombay on the 15th. Madanlal and Karkare were also in Bombay on the 15th. Apart from Savarkar and Parchure all the other accused went from place to place in Bombay. They were carrying a bag full of arms and explosives. Madanlal and Karkare, Godse, Apte, Badge and Shankar left for Delhi on different

days. After arriving in Delhi they stayed at various places. Gopal Godse was already in Delhi.'

Daftary then described their getting together in Delhi, practicing with the revolvers in the jungle, going to Birla House on the morning of 20 January and their conversations in Marina Hotel. He said, 'Their attempt to murder Gandhiji on the 20th failed, because Badge, who was entrusted the job of murdering Gandhiji, realised that all the others had ensured their escape and he was going to be the only one who would be caught red-handed. Madanlal exploded the gun cotton bomb according to plan, but Badge signalled Shankar not to do anything, nor did anything himself. All the others panicked and fled from the crime scene. The police arrested Madanlal. Badge and Shankar went to the Hindu Mahasabha Bhavan. They threw away the bombs and explosives they were carrying and left for Bombay that night. All the others also left Delhi.

'Apte and Godse moved around in Bombay using false identities and stayed in many hotels. On 27 January they again boarded a plane from Bombay to Delhi. That very day they went to Gwalior by the night train and stayed at Parchure's home. They obtained a pistol with Parchure's help. On 28 January both came back to Delhi. On the 30th Karkare was also seen with them at the Delhi railway station. The three went to the prayer ground that evening. Nathuram Godse fired three bullets at Mahatma Gandhi. The murder weapon and some unused ammunition was recovered from Nathuram Godse and he was taken into custody. On 14 February Apte and Karkare were arrested from Apollo Hotel in Bombay. Later, the other accused were also arrested on different dates. (This is incorrect; all the other accused had been arrested before Karkare and Apte. Badge was arrested on 31 January, Gopal was arrested on 5 February; Shankar walked into the CID office in Bombay and was arrested on 6 February. Savarkar and Parchure had already been taken into protective custody.)

Daftary said, 'Except for Savarkar and Parchure, the other accused shared a close acquaintance. Savarkar and Parchure are accomplices of a different kind. In the second week of January, Godse, Apte, Karkare, Madanlal, Badge and Shankar were seen together from time to time. On 20th the group was seen together at the prayer meeting. This leaves no doubt in my mind that there was a conspiracy to murder Mahatma Gandhi. The manner in which the accused arrived in Delhi, stayed at various hotels and then left from Delhi, raises suspicion in one's mind about their

intentions. If their intentions were not *mala fide*, if they did not intend to perform an illegal act, what was the reason for using false identities, staying under assumed names?'

About the accused conferring at Marina Hotel, Daftary agreed that the charge was based solely on the testimony of Badge. 'It is not necessary that only an eyewitness can prove the existence of a conspiracy. It is usual that an accomplice is pardoned on the basis of a deal struck, he confesses about the plot and the plotters and is then asked to testify in court. It is true that the testimony of an approver must be proved in every possible manner and especially so, in important aspects. But if the previous behaviour of an accused is being reconsidered, the court can rely on the testimony of an approver. A court can sentence the accused on the basis of the testimony of one of the accomplices in the crime but it is reliant on the nature of the crime, the character of the criminals and the importance of the witness.

'Dr. Jain's testimony, confirmed and supported by the testimony of Angad Singh and Morarji Desai, proves that Madanlal was very much aware of the conspiracy to murder Mahatma Gandhi. Madanlal had informed Dr. Jain about this too. It is impossible to believe that, till 20 January, till the time when he was returning from Delhi with Badge, Shankar Kistayya remained blissfully unaware about the reason for their trip to Delhi.'

Then Daftary spoke about Badge's testimony, his going to Savarkar's home along with Nathuram Godse and Apte, and Shanta Bhaskar Modak's testimony of having seen Godse and Apte walking towards Savarkar's home. Daftary said that these should not be overlooked.

'It has been stated in Badge's testimony that Nathuram Godse told him that Gopal Godse had made arrangements for his trip to Delhi. This has been substantiated; Gopal applied for a week's leave on 14 January.'

2 December 1948: Daftary began by referring to Badge's testimony of testing the revolver in the jungle. 'Three to four forest guards saw the accused in the forest that day and have testified in court. Badge has testified that Gopal said something to the guards in Punjabi but they had spoken in Hindustani. Some Punjabi words could have been used or Hindustani could have been spoken with a Punjabi inflection.'

Daftary then spoke about the reference in Badge's testimony about the conversation between the accused that had taken place in Marina Hotel, before they left for Birla House on the 20th. 'The prosecution wishes to

establish the fact that the accused assumed false names.' He presented extracts of the testimonies of other witnesses corroborating this in court, which proved that this part of Badge's testimony was true. 'Nathuram Godse had written in his diary that he gave 'Bandobhau' Rs. 50. Apte travelled to Delhi using the name 'Karmarkar'. At Marina Hotel, Badge chose 'Bandobhau' and Apte chose to call himself 'Karmarkar'. It was not new for the accused to adopt false names and use false identities.'

Daftary then referred to the taxi driver Surjeet Singh's testimony. He had driven the accused to Birla House on the evening of 20 January. 'This leads one to believe that all of them had congregated at Marina Hotel and went to the taxi stand with the intention to go to Birla House. This is what Badge has said in his testimony.'

Daftary continued to say that Apte was the gang leader; the chief conspirator. He took Badge and Shankar to Birla House on the morning of the 20th and showed them where Gandhi sat during the prayer meeting. 'He took them to Birla House that evening and gave instructions. If they had not come to Delhi on a specific mission, how did they know where the others were staying?'

Daftary agreed that there were a few aberrations in the testimony and a few unsubstantiated allegations, but under the circumstances it was only natural. 'When my witnesses testify about one incident, individual testimonies are bound to differ, depending on the ability of the witness to recall and describe the incident.' He then mentioned about Nathuram, Apte and Gopal Godse rushing back in Surjeet Singh's taxi leaving Badge and Shankar behind. Then in support of his inferences, Daftary narrated the main points of Badge's testimony at the time of the cross-examination. 'It was said in the cross-examination that one needed to obtain permission to stay in the Hindu Mahasabha Bhavan. If this is true, Shankar and Badge must have received permission to stay there, otherwise it must be accepted that there was no need to obtain permission. There seem to be some discrepancies about the time of the meetings between Apte and Dixit Maharaj and Apte and Badge, but at the same time one must consider the ill health of Dixit Maharaj at the time of the meeting and the time that had lapsed between the meeting and its reference during the testimony.'

Responding to the argument of the defence that Badge's testimony was inconsequential, Daftary said, 'Badge is an ordinary man, doing very ordinary work and he does not have a very brilliant character. Neither is he

very learned, but the court cannot dismiss his testimony as unreliable only on the basis of these traits.

'On the evening of the 20th the accused had to modify their earlier plan because Badge refused to step in to Choturam's quarter and declared that he preferred to fire on Mahatma Gandhi from the front. It is very natural that Badge could have said this fearing being trapped and caught in the room.

'The accused have alleged in their statements that they were ill treated, harassed and subjected to torture. The defence lawyers must refrain from levelling such accusations against the police officers, since the officers did not have an opportunity to answer the charges.' He then referred to Badge's cross-examination and said that the questions asked showed that certain preconceived assumptions had been made about the evidence. 'A defence counsel had asked Badge if it was not true that Apte had severely castigated him on the evening of 19 January at the Hindu Mahasabha Bhavan for not bringing volunteers even after he had been paid. Three conclusions can be made from this question. One, all of them had gone to Hindu Mahasabha Bhavan; two, they had a meeting; and three, some money had been given. Badge has displayed an uncanny ability to recollect, he is filled with courage and self-confidence. For seven days he continuously faced a barrage of questions and did not waver even once. If his testimony was false and based on untruth, if he was not a member of the gang of conspirators, he would not have been able to recollect the events so graphically and accurately, he would not have been able to sustain his claims without ever faltering once during his cross-examination.'

3 December 1948: Daftary informed the court that by using extracts of the testimony of other witnesses he would prove the link between them. 'Shanta Modak travelled from Poona to Bombay on the evening of 14 January, Apte and Godse travelled with her. Badge had also said that Apte and Godse came to Bombay on that day and later that night Apte, Godse and Badge went to Savarkar's home.

'The defence counsels had not challenged Shanta Modak's testimony. Dixit Maharaj's testimony confirms that (1) On 15 January arms and explosives were inspected at Dixit Maharaj's home; (2) Demands were made for one or two revolvers; (3) Dixit Maharaj was asked to provide a revolver; (4) Badge asked Dixit Maharaj to finance the purchase of a revolver; (5) Arms and explosives worth rupees thirty to forty thousand

were procured to be sent to Kashmir; (6) These people were embarking on an important mission.'

Daftary said, 'All this has been established to be true although there were some discrepancies about the dates. This could have resulted from the fact that Dixit Maharaj could not clearly recollect certain incidents, because he was not involved in the conspiracy.

'On 26 January the demand for a revolver was again made. Apte and Godse went to meet Dixit Maharaj that day. The defence has not disputed the testimony regarding this meeting during their crossexamination. No question was asked regarding the talks that took place at the time of the meeting.'

He then referred to the argument that Dixit Maharaj's testimony was a result of pressure exerted on him by the police. 'The defence could have asked Dixit Maharaj during his cross-examination if he was testifying under pressure from the police. But this was not done. Dixit admitted that he bought and distributed illegal arms and explosives and provided swords and daggers to Hindus in Bombay for their defence. During that time many people believed this was right. Dixit Maharaj is the spiritual head of a community. So we must accept his testimony as being true. It was alleged that he must have testified to save his own skin. But whom was he trying to save himself from? He was not part of the conspiracy. Now it is being said that since Dixit Maharaj is a Congress supporter he is testifying against the accused, but he has denied this allegation. He participated in the Quit India Movement, but many non-Congress Indians also did so. He was not confronted with any such allegation during his cross-examination either. From all this it can be inferred that there is similarity between the testimonies of Dixit Maharaj and Badge.'

Referring to the testimony of Dada Maharaj, Daftary said, 'Apte sent a person to Pandharpur to meet Dada Maharaj. That was Karkare in all probability. Dada Maharaj knew Apte and Karkare very well. If Apte and Godse intended to hold a peaceful demonstration in Delhi, why did Apte tell Dada Maharaj, "You will come to know when we perform the deed"? Apte and Dada Maharaj had talked about blowing up trains, bridges and the national assembly of Pakistan. So it is natural for Dada Maharaj to assume that something big was being planned. Apte was also alluding to something big happening, which he did not wish to reveal at that time.'

Daftary then referred to Amchekar's testimony. 'It has been alleged that Nagarvala used his influence to get Amchekar a job. The latter should have been asked this question during his cross-examination, but the defence counsels did not do so. Nagmode, Shelar and Kharat have referred to the "stuff" supplied by Badge. Many witnesses have testified that they saw the accused in Delhi between 17th and 20th January. That evening, Sulochana Devi had also seen Godse, Apte, Badge and Madanlal. Sulochana actually saw Madanlal lighting the fuse of the gun cotton bomb. The bomb explosion was not the handwork of Madanlal alone. The presence of .all the accused at the venue of the prayer meeting that day, at the time of the explosion, coupled with the testimony of Badge, which is further supported by the testimony of many witnesses, proves that there was a larger conspiracy to murder Mahatma Gandhi.'

Daftary then mentioned Choturam, who it was alleged had made his confession under pressure from the police; however, no reasons were mentioned as to why he was pressurised.

4 December 1948: Daftary continued his summing up. He referred to the testimony of the Birla House sentry, Bhursinh, who had seen Nathuram Godse, Madanlal, Badge and Gopal Godse at the prayer meeting venue on the evening of the 20th. He had also identified the coat worn by Madanlal at the time of his arrest, which had been made part of the authenticated evidence. 'Madanlal has not made any reference to the coat in his written statement submitted in court. But when questioned he replied that it was not the coat he was wearing at the time of his arrest. However, when the coat was seized by the police, along with a hand grenade, Magistrate Sahni and Sub- Inspector Daswanda Singh had been present.

'Apte has accepted that he had gone to the prayer meeting on the evening of 20 January; he says he was not in a taxi but in a private car. He saw Badge and Shankar walking while he was on his way to Birla House, so he stopped and asked them to get into the car and go along with him. The defence has failed to satisfactorily sustain this testimony during their cross-examination. Many other witnesses have testified seeing the accused at the prayer meeting venue on the evening of the 20th. It proves beyond doubt their presence at the venue in connection with achieving a common objective.'

Daftary then established the presence of Nathuram Godse, Narayan Apte, Karkare, Badge, Amchekar, and Gopal Godse in Delhi, and where

they had stayed by citing the testimonies of the witnesses from Sharif Hotel and Marina Hotel, implying that they had gathered in Delhi to achieve a common objective.

'After the explosion, Apte and Nathuram Godse went to Kanpur; Badge and Shankar left for Bombay and then Poona; and Karkare and Gopal Godse went to the Frontier Hindu Hotel, Delhi, the last having been substantiated by the manager of the hotel. Gopal Godse intentionally entered the wrong time in the guest register of Frontier Hindu Hotel. It is possible that while Badge was attaching fuses to the gun cotton explosives in the bathroom of Room 40 of Marina Hotel on the afternoon of 20 January, he was unable to see what transpired between Gopal and Nathuram Godse and so did not mention anything about it in his testimony.'

6 December 1948: On the fifth day of his summing up statement, Daftary said: 'The occurrence of events leads one to believe that there was definitely a conspiracy to murder Gandhi. Five of the accused have admitted that they had gone to Birla House on the evening of the 20th for various reasons. I fail to understand how they all reached Birla House, almost simultaneously, without there being any plan or previous agreement.

'It has been proved beyond doubt that the accused used to indulge in the purchase and sale of arms, bombs and explosives. When all the events are seen together, the existence of a very comprehensive conspiracy is established. Along with the evidence, it has also been shown that Apte, Nathuram Godse, Karkare and Madanlal all subscribed to a common ideology. They were all opposed to Gandhi's philosophy.'

Referring to Jain's testimony he said, 'Even Madanlal has accepted that Dr. Jain knew him. It is very possible that, owing to his youth and impulsive nature, Madanlal could have boasted about his exploits in Ahmednagar, the cache of arms collected by them there, and his involvement in a plan to murder Mahatma Gandhi to Dr. Jain. He met Savarkar in connection with his exploits in Ahmednagar, and that Savarkar patted his back in appreciation of this. Dr. Jain is a professor, and a peace-loving person. He has nothing to do with weapons, bombs and explosives. Why would he give a false testimony against Madanlal whom he knew and had affection for?'

The defence, Daftary said, had tried to raise doubts about Jain's ability to recollect things accurately by pointing out that he did not know the name of the governor of Bombay province and the date on which he had assumed office. This lack of general knowledge was being exploited by the defence

to raise doubts about the memory of Dr. Jain. 'The conclusion one draws from the testimony of Dr. Jain, Angad Singh and Morarji Desai is that there was a very well planned conspiracy to murder Mahatma Gandhi, and it was in place before 20 January 1948.'

Continuing his arguments, Daftary said, 'Apte and Godse continued to stay in various hotels under different fictitious names after 23 January 1948. All of you must understand why they used fictitious names. On 25 January, Apte, Godse, Karkare and Gopal Godse were seen at the residence of Vasant Joshi. Apte stayed at Vasant Joshi's home from 5th to 13th February. The defence has alleged that Joshi testified under pressure from the police. The very simple and lucid manner in which the witness has testified must be kept in mind.

'Badge brought one revolver and Gopal Godse brought another. Both the revolvers were out of order. Thus a demand was made of Dixit Maharaj to provide a good firearm. If they were successful in procuring a revolver in Bombay, why would they go to Gwalior? It was because they did not get a working firearm in Bombay that they went to Gwalior to acquire a revolver with the help of Dr. Parchure.

'There are two versions about their arrival in Gwalior. (1) They reached Gwalior at 9.30 pm on 27 January 1948; and (2) They reached Gwalior at dawn on 28 January. But the prosecution witnesses, the two tonga drivers, have stated in their testimony that they ferried the accused at around midnight on 27 January to Dr. Parchure's home.'

Referring to the confessional statement recorded in the presence of a Gwalior magistrate, Daftary stated, 'Even Dr. Parchure in his confessional statement has stated that Apte and Godse had arrived at his home at 11.30 pm on 27 January 1948, with the intention to procure an efficient revolver.

'The defence has alleged that the witnesses from Gwalior had all testified under pressure from the police. From among them Kale, Khire and Goel were not even cross-examined by Nathuram's counsel. This shows how baseless their allegation of "testifying under police pressure" really is.' He then mentioned the witnesses at the Delhi Railway Station on 29 January 1948, who had stated that, on the day of Gandhi's murder, Nathuram Godse, Narayan Apte and Vishnu Karkare were present in Delhi. 'Karkare's activities between 30 January and 2 February are not known. But if it is accepted that Karkare travelled by train from Delhi to Bombay, he would have been travelling on those days.'

7 December 1948: Daftary told the court about the activities of Apte and Karkare from 30 January till their arrest by Bombay police on 14 February 1948. Referring to the coat recovered from Madanlal at the time of his arrest, Daftary said, 'Madanlal has alleged that the coat, which has been made a part of the authentic evidence, is not the one he was wearing at the time of his arrest after the bomb explosion. The trousers that were recovered from the room in which Apte was held indicate that that they were stitched at Dabke & Sons of Poona. Dabke has confirmed the same. But what the police officers have said is very different.

'Apte claims that he had donated the suit to the refugees staying at the Bombay refugee camp and did not know where the police had got it from. If it was not seized at the time of his arrest from Apollo Hotel, how did the trunk and trousers come into his possession at the office of the CID? It has been established that during his detention there, Apte was allowed to get clothes brought in by his relatives, which were not checked before they were given to him. During investigations it was revealed that the matching trousers for the coat recovered from Madanlal was in the trunk belonging to Apte, so Apte's detention room at the CID office in Bombay was searched and the trousers recovered.

'Apte's testimony is based on second thoughts. Apte and Madanlal knew each other since much before 20 January. It is very convoluted to believe that Apte knew Madanlal as a refugee and gave him his coat to wear and the trousers remained with Apte. It is also very difficult to believe that the police planted a coat with Madanlal and claimed that they recovered it at the time of his arrest; then planted a matching pair of trousers in a trunk and conveniently "found" it in Apte's room. This is too far-fetched.

'The defence has not tried to disprove the prosecution's claims and so the prosecution's version must be accepted as the truth.'

Daftary further stated that every precaution was taken to ensure that the identity of the accused was not revealed at the time they were taken from place to place in the course of investigations, and also when they were shifted from one lock-up to another. 'Apart from one or two persons, the defence has not complained that the accused were exposed to the witnesses before the identification parades. Godse himself declared that when he was detained at the Tughlaq Road Police lockup, a blanket was hung across his door. But Godse complained that taxi driver Surjeet Singh had got an

opportunity to see him. The defence counsel did not question the witness Surjeet Singh in this regard.

'The defence did not ask Lala Kishanchand, the Delhi magistrate, any questions about his arrangements for conducting the identification parades and he clearly stated that no police officer was allowed to be present there.' He then stated that if the testimony of the prosecution's witnesses was accepted as the truth, there would remain no doubt that the incidents of 20th and 30th were both a part of the same plot. Elaborating on the charges against Nathuram Godse, Daftary said, 'Godse has accepted in his statement that he murdered Gandhiji. The law permits no one to murder another. Any argument justifying a murder is meaningless according to law. Godse has repeatedly mentioned the payment of Rs. 55 crore to Pakistan. No significant incident took place between 20th and 30th January due to which Nathuram Godse become enraged and murdered Gandhiji. This is a pre-meditated, planned and voluntary action. It is an inhuman, unjustified and deliberate murder.'

Daftary referred to the letter written by Nathuram Godse to Apte, in which he claimed that his patience had been pushed beyond the limits of endurance. 'I ask what happened between the 20th and 30th which enraged Nathuram to this extent? The evidence presented by the prosecution with regards to the existence of a conspiracy is also very formidable. Godse has taken pains to show that he was acting on his own to ensure that the other accused would be saved.'

He appealed to the court to keep in mind the method of questioning by the defence during the cross-examinations and the statement of Nathuram Godse in mind. 'There is no shortage of RSS and Hindu Mahasabha volunteers in Bombay, Poona and Delhi, and so the claim made by Godse that he went to Gwalior to enlist volunteers is absurd!' Daftary claimed that Nathuram Godse's insistence on getting his pulse and heart rate medically examined after the murder was an act of vanity. He referred to the testimony of witnesses who had seen the second accused, Narayan Apte, in Bombay, Delhi and Gwalior. He read out random extracts from Apte's statement and pointed out the glaring discrepancies in it. Daftary rubbished the claim made by Apte that at the time of Gandhi's murder, he was in Bombay not in Delhi, which had been corroborated by the tickets found on his person at the time of his arrest.

8 December 1948: Daftary referred to Apte's statement, where he stated that the police had shown him certain documents, and asked him whether they had received any help from Britain or Russia to murder Gandhi. He said that the defence had not questioned a single prosecution witness during their cross-examination on this aspect.

It was stated by the accused that on the 31st, Apte made Manorama Salvi send a telegram from Bombay to Delhi. Referring to this Daftary said, 'The defence has not produced the concerned telegram. Secondly, Apte says he was in the telegraph office but got Salvi to send the telegram, which seems to be very strange.' He referred to the statement of Apte where he mentioned that he had consulted some of his lawyer friends on 31 January regarding Nathuram's defence. 'If this is true, why did the defence not call the lawyers as witnesses to establish Apte's innocence? It has been claimed that on the 30th and 31st of January Apte and Karkare had visited their friends in Bombay. Couldn't they find a single friend who could support their claim? Now it is up to the court to decide whether the witnesses produced by the prosecution are sufficient or not. Apte has tried to weave together a story about his being present in Bombay on the said dates and the statements by the defence have failed to establish the fact that the two were in Bombay.

'The letter written by Godse to Apte is not sufficient to establish the latter's presence in Bombay. Again, no witness has been produced to support or prove the truth of the contents of the letter. The envelope does not bear a postmark dated 30 January either.' Speaking about the testimony of the many witnesses produced by the prosecution about Karkare's role, he said, 'Karkare is an accomplice in the conspiracy to murder Mahatma Gandhi. Madanlal has accepted in his statement that he had visited Dr. J.C. Jain with Karkare. Many witnesses of the prosecution have also said that they had seen Karkare with the conspirators. Madanlal has also admitted that he participated in the demonstrations in Delhi and Ahmednagar. It is hard to believe that Madanlal exploded the bomb to draw Gandhi's attention towards the hardships of the refugees. He could have stood up and shouted his grievances in the prayer meeting and Gandhiji would have definitely listened to him. Shankar has accepted that he was with Badge. He went to Birla House with the other accused on 20 January. This corroborates Badge's testimony. But Shankar has denied that he was aware of their intentions. He has not accepted Badge's testimony that he had informed

Shankar about the plan while they were leaving their room in Marina Hotel to go to Birla House. And it is impossible to believe that, even after he had handled explosives in the hotel, he was unaware of what they were going to be used for. The explosives were not given to him because he was Badge's servant but because he was one of the conspirators. Thus Shankar was well and truly aware of what they were going to do at Birla House.'

Speaking about the evidence gathered against Gopal Godse by the prosecution, Daftary said, 'The testimonies of the witnesses have proved that Gopal Godse was also a conspirator. If it is to be believed that he spent the entire period of his leave in his village, the defence could have very easily produced witnesses from the village to support the statement, but this was not done.' Speaking about the testimonies against Savarkar, Daftary said, 'Savarkar was introduced to Badge in 1944-45. The former was anti Muslims, was the president of the Hindu Mahasabha, and had also presided over the Hindu Conference. A witness has testified that Nathuram Godse and Narayan Apte had gone to Savarkar's home by car on the evening of 14 January. Badge has also alluded to this in his testimony. According to his testimony, Savarkar had entrusted the task of murdering Gandhiji to Apte and Godse. This shows that he had also participated in the conspiracy. The charges against Savarkar are based on facts and the provisions of the law.'

Next, Daftary read out extracts of the testimony of various witnesses where many things were said about Parchure and his political beliefs. He mentioned that there was a witness to prove that Godse and Apte had stayed at Parchure's home and had bought a pistol while there. Referring to Parchure's confessional statement he said, 'The statement is an acceptance of his crime. If the court is satisfied that the statement is legal and valid then it is sufficient to say that it has not been taken under duress.' Daftary read out parts of Atal's testimony wherein it was stated that all legal procedures and formalities were adhered to before it was recorded. 'That Parchure had been subjected to harassment and pressure by the police while in custody is hard to believe. If it were true, why did the defence counsels not question the witnesses from Gwalior in this regard? If Parchure was ill, he would have been medically treated, and this would have been recorded in the register at the fort. The defence could have produced the register to support their contention. Why wasn't this done? This is an acceptance that Parchure committed a crime and he helped Apte and Godse to murder Mahatma Gandhi,' Daftary said.

In the end he referred to the argument put forth by the defence that as Parchure was a citizen of the princely state of Gwalior, the special court was not eligible to try him. He said, 'Dr. Parchure is the son of S.G. Parchure, a resident of Poona. Thus, he is a citizen of British India. In order to confirm Dr. Parchure's citizenship, it is essential to establish the place of birth of his father.' Daftary cited some high court rulings in this regard.

9 December 1948: 'Dr. Parchure can be tried by those very laws, which would be the same for any Indian citizen. Until he becomes a permanent resident and acquires other rights as a citizen, he remains an Indian citizen. His father was a citizen of British India due to his birth and education in Poona. According to the British law, a person born in British territory becomes a British citizen. The male offspring of such a person also becomes a British citizen. Thus any citizen of British India, even if he or she starts living in the princely states, remains a citizen of British India. On the formation of a new dominion, the meaning of India becomes the dominion of India, which comprises British India and the princely states. Even if we accept that Dr. Parchure is a citizen of the Gwalior state, he still remains a citizen of India because the princely state of Gwalior has joined the Indian dominion.' To corroborate his statement he referred to various documents and letters, which were accepted in the court's records as authentic evidence.

Daftary also cited excerpts from S.G. Parchure's biography. 'The biography and the testimony of Maj. Jal, and from what is mentioned in various documents, establishes certain facts about S.G. Parchure. Even though the author is dead, the court can accept it as authentic evidence, as it gives the correct birth place and date.' Referring to a charge of transporting weapons illegally from Bombay to Delhi, Daftary said, 'Witnesses have testified in court that they saw the accused carrying weapons, bombs and explosives. Although the prosecution could have fielded many more witnesses to prove this charge we did not since all the other witnesses would have merely repeated what the witnesses have already said, under oath, in court. The prosecution thinks that it has successfully proven all the charges levelled against the accused. It can be asked of the prosecution as to why Dada Maharaj and Dixit Maharaj were also not named as accused. It was because they had not participated in the crime directly, and thus have been let off.' He cited some high court rulings to support his statement.

Finally, concluding his eight-day summation, Daftary said, 'Looking at the case from any perspective and keeping in mind the fact that the prosecution has produced irrefutable evidence and credible witnesses, the court must accept that the prosecution has proven the guilt of all the accused. All charges against them have been proven beyond reasonable doubt. The court must declare the accused guilty as charged, my Lord.'

10 December 1948: Arguments by the defence began with Apte's counsel, Mengle.

'I hope to safely take the defence's ship to harbour, by navigating the minefield laid by the prosecution. It must be remembered that the defence has only called on 149 witnesses from the 250 originally listed in the chargesheet.

'In a criminal matter, the onus of proving a charge rests on the prosecution. The prosecution has alleged that the statements of the accused have been fortified by adding several after-thoughts, in an effort to strengthen their defence. It has also been asked why the defence failed to call upon any witnesses to strengthen their arguments. Even if for a minute we accept all the charges levelled against the accused by the prosecution as correct, the prosecution has to prove all the charges beyond reasonable doubt, and provide witnesses. In a criminal trial the defence does not have to prove anything. In case, due to special circumstances, an accused is unable to be present during cross-examination, does this become enough grounds to brand him guilty? The statements of the accused and the cross-examination of the prosecution's witnesses by the defence are more than sufficient to prove the latter's contentions. I will prove by my arguments that what my client has stated is true.' He referred to the letter found from Savarkar's home and the setting-up of the Rifle Training Club in Ahmednagar in 1938 by Apte. Mavlankar and N.V. Gadgil had praised Apte for doing this. He said his client was an assistant technical recruiting officer during the Second World War. In 1944, he became the manager of *Agranee*, a periodical promoting the ideology of the Hindu Mahasabha, with Nathuram Godse as its editor. He agreed that Apte had led a protest against Gandhi at Panchgani and had attempted to disrupt his prayer meetings.

Talking about the general situation of the nation during 1947-48, Mengle said, 'A painful division of the country took place. The Hindus and Sikhs trapped in Pakistan had to face untold miseries, Kashmir was attacked and an invasion was attempted. The Government of India initially refused to

give Pakistan Rs. 55 crores because they feared that Pakistan would use it to fund the invasion of Kashmir. But they had to give in because Gandhi went on a fast. Apte was in Poona at that time. He felt that this action was unforgivable and so he decided to register his anger by holding a peaceful demonstration against Gandhiji's bullying tactics, by disrupting his prayer meeting in Delhi.' Mengle requested the court to keep two things in mind from the legal point of view: (1) the division of India; and (2) the persecution of Hindus in Pakistan.

He drew the court's attention to the testimony of those prosecution witnesses who had referred to Gandhi's fast and to the news published in the newspapers at that time. 'The payment of the money to Pakistan prompted Apte to hold a demonstration in Delhi. He went to Bombay on 14 January, with Nathuram Godse, with the objective of collecting money and volunteers for the proposed demonstration.

'No witnesses have been produced in court to establish where Apte and Godse stayed in Bombay, between 14th and 17th January. There was only one witness who could have thrown light on this—Wadia, the manager of Sea Green Hotel. Surprisingly, the prosecution did not call him to testify. Badge said in his testimony that Apte and Godse went to Dixit Maharaj's home on the night of the 14th. If Wadia had been produced, he would have testified that they were in the hotel at that time.'

Then Mengle tried to establish his claim that Apte and Godse had gone to Bombay to collect funds and volunteers for their proposed demonstration in Delhi, using excerpts from the testimony of several witnesses to buttress his claim. He rubbished Badge's testimony about Apte and Godse's visit to Savarkar Sadan on the 17th and his claims about what had transpired there, saying that it was vague and contradictory and could not be relied upon.

Continuing his arguments, Mengle said, 'The prosecution has failed to establish through the testimonies of witnesses whether Mahatma Gandhi had delivered post-prayer speeches on 17th, 18th and 19th January 1948. Only Madanlal has said this in his statement. There is a witness to prove that Gandhiji broke his fast on 18 January. It is very likely that during those days, due to weakness, he may not have delivered the post-prayer speeches. Apte has stated that he had gone to Birla House on the evening of the 20th in a private car; he met Badge and Shankar on his way to Birla House and gave them a lift. Apte did not carry out the demonstration because the loud speakers had failed, none of the volunteers had turned up and Nathuram

Godse did not come since he had suddenly fallen ill. I want to ask, why did Apte leave? Suddenly there was a bomb explosion. Apte feared that something untoward was about to happen and therefore left.'

Then Mengle touched upon those actions of Apte over which there was no controversy. 'Why did Apte and Godse go to Gwalior? It was because in January the president of the Gwalior Hindu Mahasabha, Dr. Parchure, had staged demonstrations at the Moti Mahal Palace. The accused found it difficult to get volunteers from Bombay and Poona. So they decided to go to Gwalior in the hope of finding volunteers there. If the prosecution dismisses the defence's claim that the accused went to Gwalior to recruit volunteers as ridiculous, the defence too dismisses the prosecution's claim that the accused went to Gwalior to procure a firearm as preposterous.

'How can it be claimed that N. Rav and V Rav are fictitious names? They are abbreviations of Nathuram and Vinayakrav. These are their real names. That the time of their arrival in Gwalior on 27 January was 11.00 or 11.30 pm as claimed by the prosecution is false, as no train reaches Gwalior at that time.' As regards the allegation of procuring a pistol, Mengle alleged that the witnesses from Gwalior were unreliable and biased against the accused. 'Madhukar Kale has not gone to Dr. Parchure's home since May 1947,' he said. On being asked why Apte could not provide any solid evidence to establish where he was, Mengle said, 'Apte was staying at refugee camps on 30th and 31st, but he did not know any of the refugees by name, and so it was not possible to call any of them. But the court should not infer that this meant that Apte was not where he claims to have been or that he was somewhere else.'

Mengle said, 'On 14 February, at the time of his arrest, the local train tickets recovered from Apte, and the evidence about the telegram sent on 31 January from Mumbai to Delhi, are enough to establish the fact that, on those days, 30th and 31 st January, Apte was in Bombay and not Delhi. The prosecution has admitted that the tickets are genuine, and are not stolen; this proves where my client was.'

13 December 1948: Mengle continued with his argument. 'The letter allegedly written on the 30th by Nathuram Godse to Apte on his Poona address, must be scrutinised by a handwriting expert to establish whether it is indeed written by Nathuram. The envelope in which the letter was posted bears the postal stamp of New Delhi dated 30 January, and of Poona dated 2 February. The prosecution claims that it has not been proven that the said

letter was mailed in the envelope in question. Our statement, that to ensure that the letter did not fall into the hands of authorities and so was mailed to Apte's office address, has also been disbelieved. This letter proves beyond any doubt that my client, Narayan D. Apte, was not present in Delhi at the time of the murder. The murder of Mahatma Gandhi was the handiwork of Nathuram V. Godse alone. The letter is written in Marathi, it says, "You will all be surprised to get this letter. All the demonstrations before this one have proved to be futile. I am losing control over my emotions. I will be implementing the final solution in a day or two".' At this stage Atmacharan intervened and said, 'If the letter was opened by Apte's brother, you could have summoned him to testify in court. You did not call any such witness. Three witnesses have testified in this court that they saw Apte in Delhi on those days. It is likely that Apte was in Delhi and Godse wrote and sent the letter just to create an alibi for him.' In reply Mengle said, 'It is unfortunate that we could not present any witnesses to substantiate our claims. Even Apte's brother refused to testify. The identification parade in which Sundarilal identified Apte was not conducted in Delhi. Apte and Godse had complained that they had been exposed to the witnesses, and the testimony of Sundarilal is suspect. Badge is a black-marketeer, a liar, scoundrel, and back-stabbing rascal. The prosecution did not call Omprakash and Chopra to testify; if they had, Badge's testimony would have been exposed. The prosecution did not summon Dixit Maharaj's servant to testify either. He was a very important witness. It would have made a great difference in Badge's testimony. The prosecution did not summon Joshi either; they asked his son to testify instead, whose statement is full of hearsay. Nagarvala met Joshi in the Red Fort four or five times, but he was not summoned. If all the evidence is considered to be true, Dixit Maharaj must also be considered a conspirator and so his testimony is worthless. Badge's claim of being taken to Birla House on the morning of the 20th seems to be a figment of his imagination. According to Chamanlal's testimony, the bullet recovered from the jungle is meant for use in a revolver and does not fit a pistol. Meher Singh says that the accused were roaming around in the jungle, Badge says something totally at variance.'

14 December 1948: To prove that there was no conspiracy to murder Gandhi and to prove that Apte was not in Delhi on 30 January Mengle continued his arguments further. He said that the guard in the forest had said nothing about the accused practicing in the jungle in his testimony. 'The

prosecution has no witnesses to prove it. Godse and Apte had complained to Magistrate Brown before the identity parade in Bombay that many witnesses had seen them. One of them was Meher Singh. Thus, the identification of the accused by Singh is compromised. Badge should have been made to testify before Singh, but this was not done. Thus the defence was not able to cross-examine him on important points. Also, why was only one guard summoned and not the other three?'

He referred to the alleged meeting between the accused in Marina Hotel, saying how could it be proved that only those that Badge mentioned were present and nobody else. About the distribution of weapons, explosives and bombs and the adoption of aliases by the accused as alleged by Badge, Mengle said that it was a creation of Badge's fertile imagination, as none of the witnesses from Marina Hotel had corroborated that statement.

Thus, concluding his arguments against the testimonies of the prosecution's witnesses, Mengle said, 'The prosecution's entire case hinges on the testimony of Badge who is a characterless person, a chronic liar and his testimony is worthless.' He then argued about the testimony of the prosecution's witness, referring to the statement of his client Apte. He said, 'The prosecution has relied on the testimonies of Dada Maharaj and Dixit Maharaj to establish that Apte had told the former on 17 January, "You will come to know everything, when we complete our task". On 26 January Apte had demanded that Dada Maharaj must provide them with a revolver. This testimony was given with the intention to show that my client Apte had a vicious mind. But before we decide on the *bona fides* of the testimony, it is essential to understand the character of Dada Maharaj.' Mengle said that Dada used to distribute weapons amongst the Hindus to enable them to slaughter Muslims. He wanted Apte to blow up the train in which Jinnah and Liaquat Ali were going to Pakistan. 'Because of his involvement in such illegal enterprises, Dada Maharaj wanted to remain in the good books of the police. In order to save his own skin, wouldn't such a person tell a few lies? If we believe that Apte and Godse possess at least some rudimentary intelligence, is it believable that they would say such a thing to a person like Dada Maharaj at an airport surrounded by so many people?'

Referring to Dixit Maharaj, Mengle said that he too, like his brother, was a trader in illegal arms and his testimony was unreliable.

'Then what did Apte do?' Mengle asked. 'On 17 January, Apte went around collecting funds for the movement in Hyderabad and for the *Hindu Rashtra*. Only Badge has alleged that Apte had gone to Birla House on the morning of 20 January; and he cannot be relied upon. Apte has confessed that he had gone to Birla House on the evening of the 20th, but only because he wanted to see for himself if he could stage a peaceful demonstration there. The fact that Apte told the taxi driver Surjeet Singh, "Come on quickly start the car, start the car", proves his innocence. The bomb explosion was absolutely unanticipated. It had scared Apte out of his wits.'

Referring to the prosecution's claim that arms had been recovered from the forest behind the Hindu Mahasabha Bhavan based on information provided by Apte, Mengle said that Apte had been totally under the control of the police and did whatever was demanded of him. Moving on to the police finding the matching trousers from the trunk in Apte's possession, Mengle said that the prosecution hadn't presented any witness to substantiate how the trunk came to be with Apte, and that there was no mention of the trunk at the time of his arrest on 14 February.

Ending his arguments, Mengle said, 'The prosecution has failed to substantiate the charges levelled against my client, Narayan D. Apte, beyond reasonable doubt.'

Next, Shankar Kistayya's defence counsel Mehta began his arguments. Mehta said, 'Shankar was Badge's faithful servant. When all the accused used to meet, Shankar was always left out, so it is possible that he may not have known of the said conspiracy. He used to transport weapons, bombs and explosives, but only on the orders of his master. My client does not possess any political thought or subscribe to a political philosophy. The prosecution has failed to establish any reason why Shankar would want to murder Mahatma Gandhi.'

15 December 1948: Mehta continued with his arguments. Judge Atmacharan said, 'In his testimony Badge has said that Shankar was quite obstinate.' Mehta said, 'Shankar has accepted many things but in his cross-examination by the court, he has said that Badge did not tell him anything about the conspiracy, and only instructed him to dispose off the stuff. When Shankar asked him a second time, Badge was so livid he slapped Shankar. If the other statements from Shankar's testimony are to be believed, then his detachment from the conspiracy must also be believed.' Ending his

arguments, Mehta said, 'It may be possible that Shankar is guilty, but while considering his guilt it must be kept in mind that Shankar is Badge's servant.'

Nathuram Godse expressed a desire to defend himself, but only on the condition that it would not have any implications on the status of his defence counsel. Atmacharan said that this would be decided by his defence counsel, V.V. Oak.

Nathuram Vinayak Godse did not challenge the murder charge against him, but added that there were many allegations in Badge's testimony which were not established by the testimonies of witnesses as they were baseless lies. 'Badge said that he had met me, Nathuram Godse, at the *Hindu Rashtra's* office on 10 January, but the prosecution did not summon any employee who was present in office at that time to corroborate this. There are substantiating testimonies to the fact that Badge travelled with Shankar Kistayya on 14 January, from Poona to Bombay. This is the same day on which Apte and I travelled to Bombay. But it has not been said which train the two travelled by. Badge says that he travelled by the same train in which we had travelled, but it is strange then that in his testimony, he does not mention seeing me.'

Referring to the nominations on his life insurance policies on 13th and 14th January, Godse said, 'I cannot fathom what the prosecution wishes to prove. What connection does the nomination of others on my policy have with my involvement in the alleged conspiracy? Is the prosecution trying to say that I nominated their wives with the intention to entice Apte and Gopal to join me in the conspiracy? On the basis of Shanta Modak's testimony, the prosecution has tried to establish that on reaching Bombay, Apte and I had gone to Savarkar Sadan on the evening of 14 January. Shanta Modak did not see us entering, and to establish whether we had gone inside, the prosecution could have summoned a resident, but they did not do so.' Nathuram added, 'The police had been keeping a watch on Savarkar's home for a long time before Gandhiji's murder; how did they not see us going into Savarkar Sadan?'

'In his testimony Badge has said that, on alighting from the train at Dadar, he went to the office of the Hindu Mahasabha, where he learned that Apte and Godse were also expected that evening. Who was the person who informed Badge about our expected arrival? That person could have been

summoned to support this part of Badge's testimony. Why was he not summoned?'

Nathuram referred to the diary entries made by him, about paying Rs. 50 to a Bandobhau and Rs. 200 to Gopal Godse. 'The prosecution picked on this reference to a "Bandobhau", and, associating it with the alleged alias adopted by Badge at the Marina Hotel, concluded that I had hatched the conspiracy for some time. Even if it is accepted that the Bandobhau mentioned in my diary is Badge, I would not have written the name of Gopal Godse in the same diary which would result in his getting entangled in the conspiracy. Gopal is much more precious to me than Badge.

'My activities in Bombay on 14th, 15th and 17th January have been referred to, but nothing has been mentioned about what I did in Poona on the 16th. Badge's testimony that I had asked him for a pistol was not substantiated by a witness. I did not go with Apte to Savarkar Sadan on 17 January. The prosecution's claim is entirely dependent on Badge's testimony, and it has not been substantiated. We could have produced witnesses to refute the claims of the prosecution, but following the murder of Mahatma Gandhi, many of our people were arrested. Who can say that, while in custody, the police did not threaten them in all sorts of ways?

'One prosecution witness claimed that three days before the bomb explosion we were at Marina Hotel; but the prosecution says that on that day we were in Delhi. (This is a strange argument as there is a Marina Hotel in Delhi.) None of the witnesses from Marina Hotel has supported Badge's testimony, that on the afternoon of 20 January, we had a meeting in Room 40.I was ill that day, Badge has also mentioned this, and I did not go to Birla House that evening.' Nathuram continued, 'A witness, Govind Malekar said that Apte, Gopal Godse and I met at the Elphinstone Hotel in Bombay at 9 pm on 25 January 1948. Whereas another witness, Vasant Joshi, has claimed that he saw Apte, Gopal Godse, Karkare and me at 9 pm on 25 January 1948 at Thana, twenty-five kilometres away from Bombay. How is this possible? Also why was G.M. Joshi, Vasant Joshi's father, not called to testify? Why was Vasant not asked to identify the accused in the identification parade conducted at Bombay?'

Referring to the testimony of Dada Maharaj, Nathuram said, 'He did illegal things. How can such a person be relied upon? How can one be sure that, to save his skin, and gain some goodwill from the police, he has not lied in court? We did not expect any monetary help from Dada Maharaj; we

only wanted to collect a revolver from him, which he had owed us for a long time.'

16 December 1948: Nathuram continued his arguments. He drew attention to the prosecution's claim that Gopal Godse must have clandestinely gone to Frontier Hindu Hotel from Marina Hotel on the afternoon of 20 January, and then returned. 'Even Badge has not mentioned anything about Gopal Godse going anywhere from Marina Hotel in his testimony. Badge has said that he saw Gopal repairing a revolver, and Badge had himself gone into the bathroom to fix fuses and detonators to the hand grenades and explosives. When Badge came out of the bathroom he saw Gopal standing there. After that Gopal went to Birla House with all the others. The reasoning that Badge failed to see the movements of Gopal Godse since he was engrossed in his work, is rather far-fetched.' (Nathuram's arguments are baseless since any explosives expert will agree that working with any sort of explosive is extremely hazardous and calls for total concentration; a slight lapse in concentration can prove fatal. According to the description of this event by Manohar Mulgaonkar in his book *The Men Who Killed Gandhi,* while Badge was preparing the explosives, Apte and Karkare tried to test a fuse wire by igniting it. Clouds of smoke engulfed the room and escaped into the lobby alerting a waiter, who rushed to the room to check if everything was all right. Apte barely managed to convince him that it was just accumulated cigarette smoke. Under these circumstances it is very likely that Badge, who knew the destructive power of the explosives and the volatility of improvised explosive devices, would have been very cautious while handling them and would have been oblivious to everything else.)

'The owner of Frontier Hindu Hotel has claimed in his testimony that he saw Gopal in his hotel at 4 pm on 20 January, and that his name is entered in the guest register. The owner does not remember when Gopal checked into his hotel but conveniently remembers the time when Gopal returned. It must be noted that the distance between Frontier Hindu Hotel and Marina Hotel is five miles. The owner does not say if he saw any car waiting outside the hotel after Gopal arrived. When they charge for even an hour's stay, how is it possible that the owner was not aware of the time when Gopal arrived at his hotel? His testimony is doubtful and somewhat strange.

'I am surprised the prosecution summoned this witness, whose testimony is at variance with that of the prosecution's star witness Badge. I think it

only shows that the prosecution is desperate to prove Gopal Godse's presence in Delhi on the 20th to establish their conspiracy theory. Another witness Godbole has said that, eight to ten days prior to the murder of Gandhiji, Gopal gave him a revolver and some bullets to hide in Poona. If we accept that he meant ten days, it proves that Gopal was not present in Delhi on 20 January. If he meant eight or nine days, and if we believe the prosecution's claim that Gopal was present in Delhi on 20 January, the question arises as to how Gopal managed to reach Poona from Delhi, that too travelling by train, in such a short time. The prosecution has not claimed that Gopal could have travelled by plane. If the testimonies of all these witnesses are read together, you will find that they are contradictory and do not prove the charges levelled against us.'

Nathuram accepted that he had travelled to Delhi by plane from Bombay, along with Apte, on 27 January. 'The prosecution claims that we reached Gwalior on the same day at 11 pm, but the tongawala claims that we reached Gwalior by the Bombay Express. None of the trains going to Bombay reach Gwalior at that time. Apart from this, it is unlikely that the tongawala remembered that we had sat in his tonga that night.' (This argument of Nathuram also does not hold since, in those days, long distance trains were known for not running according to schedule. As far as the memory of the tongawala is concerned, considering the fact that his reins snapped on the way and he lost his passengers to another tonga, the incident must have remained with the man.)

'The prosecution has claimed that Dr. Parchure, in his confessional statement, said that he did not get along with me; yet it has been claimed that I asked Dr. Parchure to provide us with a pistol to murder Mahatma Gandhi. The defence's contention that Apte and I had gone to Gwalior to recruit volunteers for the planned protest demonstration in Delhi has been ridiculed by the prosecution. But if this is ridiculous, then my asking Dr. Parchure to provide a pistol to murder Mahatma Gandhi, despite the fact that he was unfriendly to me, sounds even more ridiculous.'

Then Nathuram referred to the testimonies of Sundarilal and Harikrishna. 'Their statements are mutually contradictory and thus have no significance, Sundarilal claims that on 30 January he asked us to vacate the retiring room at the Delhi Railway Station, but the attendant, Harikrishna, in his testimony, did not even mention Sundarilal. Apart from this, Harikrishna could have easily identified Apte, Karkare and me, but he

failed to correctly identify both Apte and Karkare in the identification parade as well as in court.'

Explaining the reason why the defence was not able to produce witnesses, Nathuram said, 'This is the first trial in which the government and the people are on one side and the accused are on the opposite. Although Bhagat Singh's actions were violent, the Congress had complimented him and supported his actions by passing a resolution during the Karachi Session.'

Nathuram concluded his arguments with the oft repeated litany of having performed a deed to save the motherland and Hindu dharma. 'Looking at the situation which developed after the vivisection of Mother India, and the vacillating attitude of the Government of India which capitulated under pressure from Gandhiji, after deciding to withhold payment of Rs. 55 crores to Pakistan; under these circumstances although in the eyes of the law I am a criminal, but the Indian people, the future generations and honest historians of the future will agree that it was necessary to kill Gandhiji.

'Since I showed no mercy towards the person I murdered, I have forfeited the right to seek mercy. I have achieved my objectives by murdering Gandhiji so I have nothing further to say. A time will come when the world will ridicule patriotism much in the same manner as they ridicule religious pride today.'

Having grandly declared, in his concluding remarks, that he did not intend to beg for mercy, the self-proclaimed martyr did exactly this after his sentencing, right up to the highest authority, the Privy Council.

ARGUMENTS BY KARKARE'S COUNSEL

Next, Karkare's defence counsel, Dange began his arguments. He said, 'The testimony of only forty-six prosecution witnesses concern my client Karkare. Out of these, twenty-six testimonies are totally irrelevant. The prosecution did not summon any Muslim citizen of the Indian Union, as a witness. Badge is not a very important witness. From those who testified in court only five witnesses are important to the case. The testimonies of the witnesses from Marina Hotel have no bearing on the charges framed against my client Karkare.

'The onus of proving the guilt of the accused is entirely on the prosecution. The court cannot base its decision on inferences and estimation. There is no compulsion for the defence to produce witnesses.

The criminal justice system is based on the principle that even if ten guilty persons escape punishment even one innocent person must not be punished.' Then Dange read out excerpts from Karkare's statement, which threw light on his childhood and education.

17 December 1948: Dange referred to the relationship between Dr. J.C. Jain and Madanlal; he referred to Madanlal having introduced Karkare as 'Ahmednagar ka Seth', 'businessman from Ahmednagar'. Dange referred to the letters written by Madanlal to Jain where the former had referred to Karakre as Karkare 'Saheb' not 'Seth'.

'The prosecution has attempted to portray Karkare as a rich businessman by referring to him as "Seth", but it is not necessary that only the rich do social work. A person only needs to be honest and influential to do social work. Thus it is wrong for the prosecution to refer to Karkare as "Seth". The Muslim residents of Ahmednagar suffered losses due to the influx of refugees into Ahmednagar, at the same time Karkare's popularity soared. The Muslims resented this and they complained to the government that Karkare was inciting the refugees to riot. Acting on the complaints of Muslims the government ordered the arrest of Karkare. This was the reason which forced Karkare to use the alias "Vyas".'

OBJECTIONS AGAINST THE STATEMENT OF SARDAR PATEL

Before this, Inamdar, defence counsel for Parchure and Gopal, had drawn the attention of the court to a newspaper report which stated that while speaking at the Congress convention in Raipur, the Union Home minister, Patel had said that the pistol used to murder Gandhi had been purchased in Gwalior. Inamdar said, 'Till such time as the trial was in progress, such statements should not be made in public.'

Dange said, 'If Karkare and Madanlal had come to Delhi as a part of a conspiracy, why would they allow a stranger, Amchekar, to be with them? Apart from this, one witness testified that Madanlal went to a meeting on 20 January, Jayprakash Narayan had delivered a speech at that meeting. It has been said that Madanlal shouted slogans and tried to disrupt the meeting. Would a conspirator behave in such a manner? Thus the allegation by the prosecution that the accused had gathered in Delhi in connection with a conspiracy is a blatant lie.' Dange then took up the testimonies of the witnesses from Marina Hotel. 'One witness had identified Karkare in the identification parade conducted at Bombay. It is strange, a person who

serves tea to hundreds of people everyday, remembered the face of one person he had served and recognised him after such a long gap amidst so many persons. Another witness from Marina Hotel has referred to the presence of Apte, Nathuram Godse and Gopal Godse in the hotel but has not mentioned Karkare. According to his statement Karkare was in Bombay then. Thus that testimony is contradictory to that of Badge's.'

Dange added, 'The testimonies of the two witnesses from Birla House, Choturam and Bhure Sinh are also mutually contradictory. Choturam said that Karkare approached him for permission to take Gandhiji's photograph, he identified Apte and Karkare during the identification parade but did not say who from the two had approached him with the request to take the photograph.'

Bhur Sinh claimed that two persons had come on 20 January, one of them had asked for permission to be allowed to take a photograph. But he was not able to say which one had asked for permission. Dange added, 'The prosecution has claimed that Nathuram Godse, Narayan Apte and my client Vishnu Karkare were present in Delhi on 30 January 1948, the day Mahatma Gandhi was murdered. The ticket vendor Sundarilal, working at the Delhi station recognised Nathuram Godse and Narayan Apte, he has said that they were present at the Delhi station on 29 January and recognised Karkare as the person who was seen with Nathuram and Apte in the retiring room of Delhi station on 30 January. The identification of the accused by Sundarilal is doubtful. Why was he not asked to participate in the identification carried out on 8 February at Delhi? Making him wait till the one in Delhi means the prosecution was tutoring him. Sundarilal had said that he had seen Apte and Nathuram sitting while Karkare was standing. But why should Karkare be standing? He was not their servant, neither was he inferior to them. The prosecution has not been able to establish how Karkare reached Delhi, thus the benefit of doubt must be with my client, Vishnu Ramchandra Karkare.

'Badge's testimony is unreliable, unless substantiated by supportive witnesses the testimony of an approver cannot be relied on.'

18 December 1948: Continuing his arguments Dange referred to the letter recovered by the police from Badge's wife at the office of the Bombay CID.

'When Badge's wife came to the CID office, she handed over the letter when the policemen asked her for it. It is difficult to understand why Mrs.

Badge brought that particular letter when Badge had not asked her to bring anything; this entire episode is very suspicious.'*

Dange said that this letter was not even written on Badge's letterhead. (Why would Karkare write a letter to Badge on Badge's letterhead?) 'The letter paper was torn and had been pasted together. The police had matched the handwriting with that of Karkare. The accused were forced to write in a particular manner. The handwriting expert has claimed that the handwriting of the letter and the specimen provided for comparision were of the same person, in this case Karkare. But a specimen taken under duress or by cajoling can not be used as aunthentic evidence.'

Dange said, 'In the letter references to books and articles was a coded reference to iron jackets and not to weapons and explosives. Karkare had bought an iron jacket before leaving for relief work in Noakhali. There was no conspiracy in the murder of Mahatma Gandhi. Badge had come to Delhi to sell his weapons. Apte had requested him to join him in a peaceful demonstration, and so he decided to kill two birds with one stone.

'The prosecution has alleged that it was decided at Marina Hotel that when Madanlal exploded the gun cotton bomb, Karkare, Gopal Godse and Shankar would attack Gandhiji with hand grenades from Choturam's room. But Badge made changes in the plan. Karkare did not know about this. If Karkare was a part of the conspiracy he should have known this. This proves that Karkare is innocent of all charges levelled against him and that there was no conspiracy.'*

'Morarji Desai, Dr. J.C. Jain and Angad Singh's testimonies contain mutually contradictory statements and at many places digress from their original statements and so their testimonies must be expunged from the record of the trial.

'At the time of Karkare's arrest suburban railway tickets of 31 January were recovered from his person. This proves that my client Vishnu Ramchandra Karkare was present in Bombay on the day of Gandhiji's murder and not in Delhi.'

Dange criticised the identification parade in Bombay, saying, 'No Marathi translator was arranged who could explain the proceedings to Karkare, when the chief presidency magistrate organised an identification parade in Bombay.'

In the end he said, 'My client has committed no crime, he must be given the benefit of the doubt and immediately released.'

DAS ARGUES ON BEHALF OF SAVARKAR

Next, P.R. Das began arguments in defence of V.D. Savarkar. He said, 'There are two things we must think about. First, whether there was any conspiracy to murder Mahatma Gandhi. Second, if there was a conspiracy, to what extent was Savarkar involved? According to the statements of the prosecution the final decision to murder Mahatma Gandhi was taken in Room 40 of Marina Hotel on the afternoon of 20 January 1948. The defence has said that there was no conspiracy to murder Mahatma Gandhi, and if it is alleged that there was one, it would be such a sad conclusion because the other accused had only planned to stage a peaceful demonstration during the prayer meeting. The event of 30 January was an individual action of Nathuram Godse. If there was a conspiracy why was Gandhiji not murdered on 20 January itself? That day, seven persons were well equipped with arms and explosives to carry out the deed. The testimonies presented by the prosecution in this regard do not corroborate the testimony of the approver Badge; in fact at many places, they demolish his claims. The prosecution has also presented testimonies which claim that the accused met after the failed attempt on 20 January and reiterated their resolve to murder Mahatma Gandhi.'

Das cited decisions of the Council of Lords and the Allahabad high court and claimed that many doubts remained in the case conducted by the prosecution. It was for the prosecution to conduct the trial in a manner free of any doubts or suspicions. He continued, 'Is the prosecution right or the defence. On 20 January only one bomb exploded. Does this mean that the prosecution has proved its point beyond reasonable doubt? Does the prosecution have any concrete evidence why the accused did not implement the conspiracy on the 20th itself?

He continued to say, 'Badge's testimony may not have been substantiated in its entirety but the main points have been. Now, it is up to the court to decide.

'Badge has admitted that he has been selling weapons, bombs and explosives to Apte and Karkare. These transactions were not in connection with the murder of Mahatma Gandhi, but to collect arms for the protection of the Hindus staying in the Nizam's Hyderabad state.

'In November 1947, Apte asked Badge if the arms were ready. He also informed Badge that Karkare would come in a day or two to pick up the

stockpile. These weapons were also for use in the Hyderabad campaign. On 10 January, Badge was called to the office of *Hindu Rashtra* in Poona and was asked to provide two pieces of gun cotton explosive, two revolvers and five hand grenades. He was told to deliver the "stuff" at the Hindu Mahasabha Office in Dadar, Bombay on 14 January.' Das said that this part of Badge's testimony has not been substantiated by any witness.

'When Badge and Shankar reached Bombay on 14 January, Badge took the "stuff" to Dixit Maharaj's home and handed them over to his servant. Why did Badge take the weapons there? Because the weapons for the Hyderabad campaign were collected at Dixit Maharaj's home.*

'Dixit Maharaj's servant was not summoned in court. Badge's testimony is not substantiated merely by Dixit's statement that "Badge left the bag containing the 'stuff' with my servant". A case under the Police Act could have been registered against Dixit, but the government of the Bombay province did not initiate any steps in this direction. It is very likely that in order to save himself he could have struck a deal with the authorities and agreed to testify in this case according to the instructions of the prosecution. Thus, his testimony stands compromised and loses significance

'The Hyderabad question was in everyone's mind at that time. Were these weapons brought to Bombay to be sent to Hyderabad or for the murder of an unarmed old man? The prosecution claims that the "stuff" was to be taken to Delhi for the murder of Mahatma Gandhi. Were so many weapons and explosives required to kill Gandhiji?

'Between the accused and the approver only a rudimentary relationship existed such as one between a client and a merchant. It is apparent from the prosecutions' statements that whenever the accused had a secret conference with Savarkar, Badge was kept away. When Apte asked Badge if he would go to Delhi with him and participate in murdering Mahatma Gandhi and Suhrawardy, and said that Savarkar had ordered the killing, Badge agreed without any hesitation. It is so surprising that Badge did not consider informing the police about this. When Apte and Godse went to take Savarkar's blessings one last time, they again left Badge outside. This is even more astonishing that the so-called conspirators did not trust Badge and yet they informed him about the conspiracy to murder Mahatma Gandhi.' Referring to the visit to Birla House on the morning of 20 January, Das said, 'The prosecution had failed to produce any taxi driver who could substantiate Badge's testimony.'

20 December 1948: Continuing his arguments, Das said, 'The prosecution has not said that after the failed attempt on 20th the conspiracy continued till 30 January. The witnesses of Birla House have given mutually contradictory testimonies, which are at variance from what Badge said. It is necessary to conduct identifications as per the law, but is it possible that someone can say, during identification, that he had seen a certain person walking around with six others? Countering the testimonies of Sulochana and Surjeet Singh the prosecution should accept that Nathuram Godse was not present at Birla House on 20 January, and that there was no conspiracy to murder Gandhi.'

The judge asked, 'It has been said by the prosecution that Apte and others got into the taxi in a state of panic and escaped from Birla House. If their intention was only to stage a peaceful demonstration, why did they panic?' Das replied, 'Too much importance should not be given to the fact that they ran away in panic. If the purpose was to murder Gandhiji that day, one of them, even Madanlal would have done so, but nothing of that sort happened. A conspiracy is planned and executed with the utmost secrecy. Even the prosecution does not say that there was any conspiracy after the 20th.'

The judge asked, 'If a conspiracy fails on a particular day, does it cease to exist? Jain's testimony has been branded as full of exaggeration. If it was so, he would have fallen prey to his exaggerations during the cross-examination.'

Das said, 'If Morarji Desai knew about the conspiracy to murder Mahatma Gandhi why did he not take steps to expose and prevent it? The lackadaisical approach of the authorities in this matter is unprecedented. Even if it is believed that there was a conspiracy, and Jain's testimony was true, even then the latter had revealed the names of only Madanlal and Karkare to Desai. His statement was based on hearsay and so the court must not accept it. On the night of 20 January, when Badge argued with Godse and Apte, the conspiracy had come to an end.'

21 December 1948: Das continued his arguments. 'The prosecution has attempted to prove that four of the accused had gathered in Thana, as per Vasant Joshi's testimony. Even if this is accepted as the truth how can getting together be sufficient evidence of entering into a conspiracy? Actually the prosecution should have called Vasant's father G.M. Joshi to testify. Although he was present at Red Fort for fifteen days he was not

asked to testify. It has been said that on 25 January a telegram had been sent to Apte at his Poona address, but according to Malekar's testimony Apte was in Bombay that day.*

'How could a person of the stature of Savarkar, who was known to have sacrificed so much for his motherland, ever enter into a conspiracy with people like Godse and Apte? The police recovered 10,000 letters from 140 files from his residence, but they did not find a single word in all those letters which would lead one to believe that Savarkar harboured ill will towards Gandhiji. There was no correspondence between Apte, Godse and Savarkar during 1947. In August 1947, Savarkar had gone against the fatwa of the Maharashtra Hindu Mahasabha and unfurled the Tricolour on the terrace of his home. Apte, Godse and Karkare had criticised his action. Is Badge's claim that Apte told him in the courtyard of Dixit Maharaj's home, of Savarkar having ordered the elimination of Gandhiji, Pandit Nehru and Suhrawardy, reliable? Can such matters be disclosed in the courtyard of someone's residence? What if Apte had falsely used Savarkar's name? If this kind of testimony is accepted in court, then not a single person will ever be safe. During 1947-48, Apte and Godse never met Savarkar, then why did they suddenly decide to go to Savarkar's home to tell him that they were going to murder Gandhiji? This seems impossible. Neither Jain, Morarji Desai nor Angad Singh have implicated Savarkar in the conspiracy. Apte and Godse were in Bombay from 24th till 27th January. Neither of them went to Savarkar's home during these days. He founded the Hindu Mahasabha and must have realised that to murder Gandhiji would mean the end of the Mahasabha. Why would he do such a thing? The testimonies of Badge and Dixit Maharaj don't match. All the allegations are open to doubt and so the benefit of doubt must be given to the accused.

'I have no doubt that Savarkar will be declared innocent and released. But the Court must also declare that he is being released with his honour and reputation unblemished.'

ARGUMENTS BY MADANLAL'S COUNSEL

Next, Madanlal's defence, Bannerjee, began his arguments. He reiterated his demand that the court should include the text of Gandhi's speeches and the articles written by him in the court's record, as well as the 'fact' that the government was forced to pay Rs. 55 crores to Pakistan because of Gandhi.

'The confessional statement recorded by the Gwalior magistrate cannot be legally accepted by this court.'*

22 December 1948: Referring to Parchure's confessional statement recorded by Atal, Bannerjee said, 'Magistrates of princely states must, along with recording a confessional statement, also testify as a witness in court. R.B. Atal had only read the confessional statement in court.'**

To establish and support his argument Bannerjee cited many legal acts. He was yet to begin his arguments to defend his client Madanlal. 'Many different dates have been quoted as to when the alleged conspiracy came into existence. From the testimony of the witnesses it has been proved that Madanlal was not part of the alleged conspiracy till 9th January. If this conspiracy was hatched in Ahmednagar, than Madanlal cannot be said to be a part of it because he was not present there. Dixit Maharaj's testimony also does not establish that Madanlal was involved in the conspiracy. The former has said that while the others were testing the weapons and explosives, he had remained aloof and inactive. That would not have been the case if he had been involved in the conspiracy.†

'The witnesses from Marina Hotel have said nothing regarding the presence of Madanlal there. He took the police to Room 40, late in the evening of 20 January 1948, but the statement made by the accused to the police cannot be taken into consideration. According to the prosecution, Jain had been informed by Madanlal that a conspiracy to murder Mahatma Gandhi had been planned. How is it possible that a conspirator would reveal such a secret to a stranger? Jain's testimony has not been supported by the testimonies of Morarji Desai and Angad Singh. Considering all these facts, it is right to say that there was no conspiracy to murder Gandhiji, and even if there was, my client Madanlal was not involved.

'Even if all that the prosecution has alleged, is taken to be the truth, a question comes to my mind—when Morarji Desai was aware that there was a conspiracy to murder Mahatma Gandhi, why did he not take any steps to arrest the conspirators and save Gandhiji's life? On hearing about it from Jain, Morarji Desai conveyed everything to Nagarvala without revealing his source. This is proof enough that Desai harboured doubts about the information given to him by Jain and did not issue any special instructions.' Referring to Jain's testimony, Bannerjee said, 'It is possible that after reading about the news of the bomb attack on 20 January in newspapers,

Jain may have thought that a conspiracy to murder Gandhiji was in existence.'

23 December 1948: Continuing his arguments, Bannerjee said, 'The testimonies of Angad Singh and Morarji Desai demolish what Jain had said. Nagarvala too, has not acknowledged Jain's testimony as being relevant. When a police officer from Delhi briefed him, he issued an arrest warrant against Badge.

'If Madanlal and Karkare could transport the "stuff" in a crowded third class compartment of a train from Bombay to Delhi, the bag could have been kept in the office of the Hindu Mahasabha at Dadar. Why was it kept at Dixit Maharaj's house? There are contradictions in the testimony of both Badge and Dixit Maharaj. If there was a conspiracy to murder Gandhi, Nehru and Suhrawardy, why were no attempts made to kill Nehru and Suhrawardy? The prosecution has not thrown any light on when the plan to kill the other two along with Gandhiji was dropped. And, if there was a conspiracy these people would not have stayed at a very public place like the Hindu Mahasabha Bhavan in Delhi.

'Why did Apte take Badge to Birla House on the morning of 20 January? If there was a conspiracy he should have taken Madanlal. Nothing has been said on that. On the morning of the 20th, no task was assigned to Badge. Then why was only he taken to Birla House? Why was Marina Hotel, which was two miles away, selected for the distribution of weapons? Why was this not done at the Hindu Mahasabha Bhavan itself?*

Then why did Gopal Godse go back to the Hindu Mahasabha Bhavan? All this seems to have been cooked up by the police in mid February. Badge was arrested on 31 January but his statement was recorded only on 21-22 February. The police met Prof. Jain on 4-5 February but his statement was only recorded on 17 February. The court must realise that a purposeful fabrication of events was in motion. Attempts have been made to correct and fine-tune the tale in court while the case is in progress too. The trial started on 24 June. The approver was granted a pardon on 21 June, but his testimony which should have been taken right in the beginning was only recorded in mid July.'

'It has been alleged that Nathuram told Badge, "Ha amcha shevatcha prayatna aahe", this is our last attempt. When was the first attempt? If Apte and Godse were the brains behind the conspiracy, why did they accept the changes in the distribution of arms and explosives as suggested by Badge?

There are contradictions between Sulochana and Badge's testimonies, too. Even if there was a conspiracy, it has not been proved that Madanlal was a part of it.'

24 December 1948: Bannerjee continued his arguments. Referring to the testimonies of the identification parade witnesses, Bannerjee said, 'The Chief Presidency Magistrate Brown, of Bombay, did not have the powers to rule on the police remand of the accused until he made note of the reasons why he was ordering their police remand on the case file. The Police Act does not give him the authority to conduct an identification parade while the accused were in police custody. Thus the process adopted was entirely illegal. The accused were moved from place to place for investigation and interrogation, this is permissible under the law, but the police did this with the intention of fabricating and establishing a conspiracy, where none existed. The prosecution has not explained why the other gang members failed to carry out their allotted action after Madanlal had exploded the bomb according to the plan. Thus the charge of conspiracy is not substantiated or proven.'

Then Bannerjee challenged the powers of the court to hear such a case. According to the prevailing provisions of law the authority to hear the case against the accused vested in the court, this court can hear the case instead of sending it to the session court.

The desirable procedure would have been to accept the trial as a warrant trial and not a summons trial, as is being done now. There are no established precedences or guidelines in the law as to how such a trial should be proceeded with, thus there is a lacuna in the existing law. The entire trial has been conducted illegally, even the charges framed against the accused have not been done in conformity with established legal procedures.

'The coat seized from Madanlal at the time of his arrest is not Apte's as claimed by the police and the prosecution. The coat recovery scenario was cooked up to establish a link between Madanlal and the others and then prove that thus a conspiracy was in existence. The circumstances under which the trouser was recovered from Apte are also suspect.

'Why was no witness from Ahmednagar summoned? The prosecution had referred to them in the charge sheet. I agree that it is the prosecution's prerogative as to whom they will produce as witness. But the witnesses whose testimony is vital to the case must be called.

'Now it is up to the court to decide whether in not producing the vital witnesses to testify in court, the prosecution has erred. The prosecution has mentioned about the deeds of Madanlal in Ahmednagar by the testimony of Prof. Jain, but the latter's testimony about this is based only on hearsay.'

Bannerjee objected to the acceptance of the testimonies of the witnesses who had seen the accused. 'If the testimony of these witnesses in not accepted, Badge's statement about the said connection between Madanlal and Apte is not substantiated.'

Referring to the statements of the accused, Bannerjee said, 'The accused have made certain claims in their statements the prosecution has asked them to substantiate their statements by producing witnesses who would corroborate them. It is the responsibility of the prosecution to prove the charges. The accused don't have to prove their innocence.

'Jain has stated that the conspiracy was in existence when Madanlal came to meet him. The conspiracy cannot be said to have begun when Madanlal along with Ompraksh and Chopra went to the Shastra Bhandar and checked the "stuff". If it was due to Gandhiji's fast then it can be said that it came into existence on 14 January.

'As long as the prosecution does not prove why, when and under what circumstances the conspiracy came into existence, how can it expect the court to believe that there was any conspiracy?

'The happenings of 20th and 30th January are not connected. Nathuram Godse was not present at the prarthana sthal. The prosecution claims that the conspiracy failed on 20 January and that Nathuram Godse was present there. But what Nathuram did on 30 January does not prove the claims of the prosecution.'

27 December 1948: Bannerjee claimed, 'The police have no right to question the accused. The accused can make a voluntary statement. In this case the police were first to question the accused, which is invalid according to the law. Even the court cannot cross-examine an accused first.'

Speaking on the conduct of the identity parades, and the recording of the statements by the magistrate, Bannerjee said, 'The statements recorded by the magistrate conducting the identity parades should have been despatched by him to the trial court, but this was not done. The remand orders were issued by a magistrate who had no jurisdiction over the accused.

'In this trial the prosecution has asked the court to imagine the existence of a conspiracy and then accept the testimonies of the witnesses. It is illegal

for a court to issue a charge sheet without the testimony of any witnesses. Apart from this after the trial began it is not right for the police to raid and search the residence of Dr. Parchure in Gwalior. In this manner the prosecution has done things whch have been severely condemned by the high courts.

'According to established laws the court has no right to frame charges, which is what this court has done.' Bannerjee presented a ruling of the Privy Council on the matter in support of his argument.

Referring to the existence of a conspiracy as inferred from what Madanlal had told Prof. Jain, Bannerjee said, 'This was just a coincidence, it had no bearing on the existence of a conspiracy.'

Referring to the testimonies of some witnesses, Bannerjee said, 'These have not been substantiated as far as my client is concerned and so they have no bearing on his case.'

Concluding his arguments, Bannerjee said, 'Very serious charges have been filed against the accused. For generations lawyers and judges will argue and debate the ruling of this court, it will come in for criticism and for praise, it will be read by hundreds of thousands of people.'

ARGUMENTS BY GOPAL GODSE'S COUNSEL

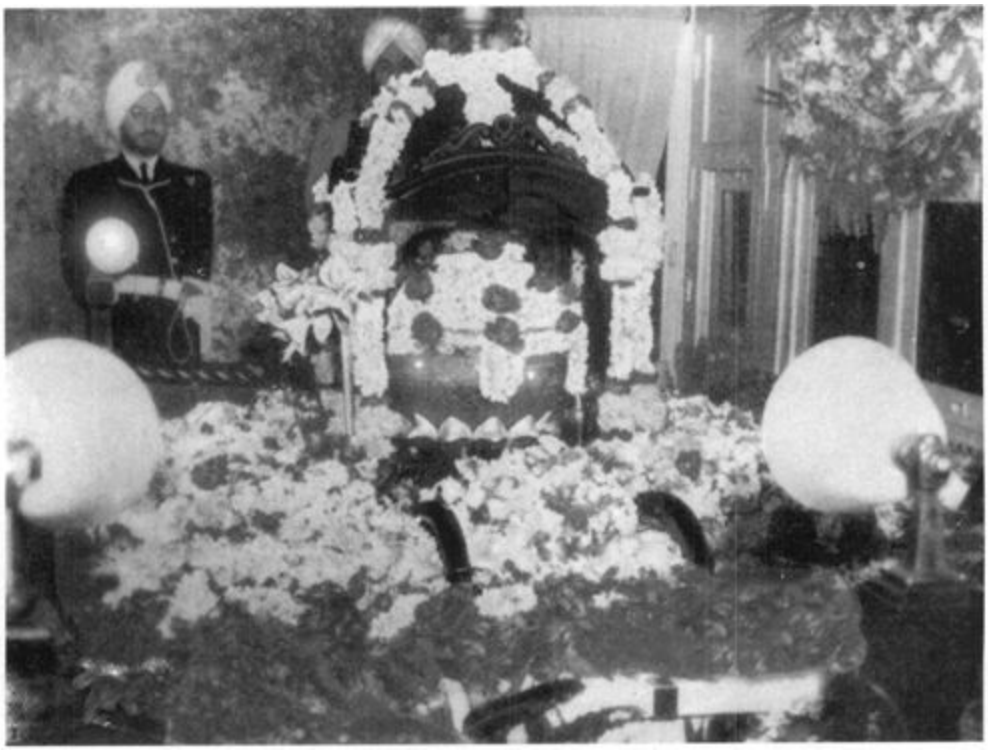
Next, Inamdar, the defence counsel for Gopal Godse and Dr. Parchure, began his arguments.

Inamdar said, 'The way the prosecution has built a case against my client Gopal Godse leads me to believe that it was done as an afterthought.' Speaking of the charge of trafficking of illegal weapons and explosives, he said, 'From all the testimonies of the witnesses produced by the prosecution I could not find even a sentence, which could prove that my client, Gopal Godse, illegally transported an unlicensed revolver to Delhi.'

Royal Indian Air Force planes fly past the flotilla carrying Gandhi's ashes to the Triveni Sangam.

The urns containing Gandhi's ashes.

U.P. Chief Minister G.B. Pant, Prime Minister Nehru, U.P. Governor Sarojini Naidu,Maulana Abul Kalam Azad and Sardar Patel along with dignitaries await the arrival of the special train carrying Gandhi's ashes.



The urn in a special train on its way to Allahabad.

Prime Minister Nehru, Devdas Gandhi and Ramdas Gandhi, with urn in hand, heading for the Triveni Sangam for the immersion.

Boats ferrying VIPs and media persons at the Triveni Sangam while millions throng the banks.

The stone ventilator grill in the wall behind which Gandhi sat during the evening prayers. On 20 January 1948 Badge was supposed to hide in the room behind the grill and shoot at Gandhi from there, and then hurl a grenade at him.

The Beretta 9 mm semiautomatic used to murder Gandhi.

Bhillare Guruji, the man who saved Gandhi when Nathuram Godseattacked him at Panchgani.

Justice G.D. Khosla, member of the three judge bench which heard the appeal in the Punjab High Court.

Justice A.N. Bhandari, the senior-mostjudge of the three judge bench which heard the appeal in the Gandhi murder trial in the Punjab High Court.

Justice Achchruram who jointly heard the high court appeal.

Conspirators and killers. *(Sitting) from L. to R.* Narayan Apte, V.D. Savarkar,Nathuram Godse and Vishnu R. Karkare. *(Standing) from L. to R.* Shankar Kistayya, Gopal Godse, Madanlal Kashmirilal Pahwa and Badge. The one missing member of the gang is Dr. Sadashiv Parchure.

The accused in the dock. *Front Row from L. to R.* Nathuram V. Godse, Narayan Apteand Vishnu Karkare. *Middle Row from L. to R.* Ramchandra Badge, Madanlal K. Pahwaand Gopal Godse. *Back Row from L. to R.* Shankar Kistayya, V.D. Savarkar and apartially seen Dr. Parchure.

10½ بجے دن - نمبر 3 - اِس وقت معہ انسپکٹر صاحب دفتر پولیس
سی - آئی - ٹی ہوا ٹیکسی پہنچے - مسٹر نگروالا صاحب کی خدمت میں
پیش ہوئے - جن کو پھر دوبارہ جملہ حالات مقدمہ ہذا بتلائے گئے - ایک یادداشت
انگریزی جس میں مختصر بیان مدن لال ملزم انگریزی میں درج ہے - اور
اِس کے نیچے یادداشت S. P. صاحب نیو دہلی کی درج ہے - جناب نگروالا
صاحب کی خدمت میں پیش کی گئی - جنہوں نے اِس یادداشت کو بغور پڑھا
اور اپنے پاس یادداشت رکھی - تحریری نوٹ متعلقہ مقدمہ ہذا واپس دی - جو کہ
نقل ہذا ہے - جناب نگروالا صاحب کو Karkra کے متعلق تمام حالات واضح کئے
گئے اور مزید یہ بھی عرض کیا گیا کہ مدن لال ملزم نے یہ بھی بتلایا تھا
کہ ہمراہی ملزمان میں سے ایک ملزم جس کا نام نہیں جانتا - ہندو راشٹریہ
پتا اگرنی اخبار کا ایڈیٹر تھا - جس کا رنگ سانولہ، عمر 33/34 سال - قد تقریباً
5' 6" بیان کرتا تھا - یہ معلوم نہیں کہ وہ ایڈیٹر بمبئی یا پونہ کا ہے - اِس کے
علاوہ دیگر تین مرہٹہ و راجہ صاحب جو کہ اپنے ہمراہی ملزم بیان کرتا تھا- کے
خطبے بتلائے گئے - ایڈیٹر ہندو راشٹریہ یا اگرنی اخبار اور Karkra ساکن احمدنگر
کے متعلق مسٹر نگروالا صاحب کی خدمت میں خاص طور پر زور دیا گیا - کہ
اِن کا ذکر ملزم کے بیان میں صاف طور پر آ چکا ہے - اِن کی گرفتاری کی
پہلے کوشش کی جاوے - تاکہ اِن سے دریافت عمل میں لائی جا سکے -

Copy of Madanlal's first statement written in Urdu which was carried by the Delhi Police to Bombay.

1686-A

Madan Lal s/o Pishori Lal [illegible]
Pahwa of Pakpattan Dist Montgomery
West Punjab Aged 20/21.

Refugee went to Bombay in
Middle of November

Contacted Mahasabha workers
for employment

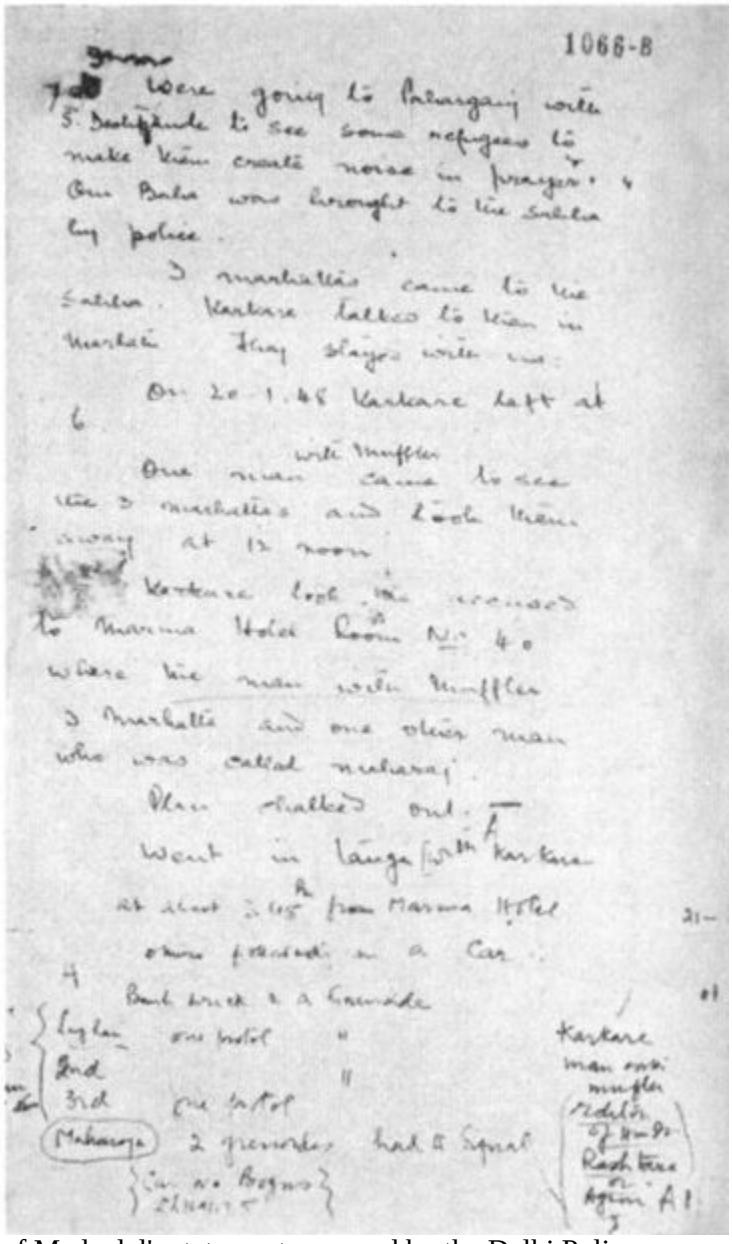
Met Karkare who belonged to
the active workers or President of the
Sabha. Karkare also proprietor of a
hotel + Deccan Guest House.
Karkare having come to know that
the accused were a member of
RSS worked a plan to [illegible] to
kill Mahatma Gandhi who — is
enemy of hindus

Came to [illegible] Delhi with Karkare
reaching here about 17.1.48

Stayed at Hindu Sabha Hotel
Room No. 2. Servant Ram Singh took
his and Karkare's clothes for washing to
a laundry. The accused gave Rs 15/-
for sewing charges of pant and for
washing charges.

Left the hotel on 19.1.48 in
the evening. Karkare met Gajanan Desh-
pande and in the Hindu Mahasabha
Bhawan and got Room No 3 where
they placed their luggage.

Translation of Madanlal's confession prepared by the Delhi Police.



1066-B

We were going to Patangarj with
5. Sardarjee to see some refugees to
make them create noise in prayer.
One Baba was brought to the Sabha
by police.

3 marhattas came to the
Sabha. Karkare talked to them in
Marhati. They stayed with us.

On 20.1.48 Karkare left at
6

One man with muffler came to see
the 3 marhattas and took them
away at 12 noon.

Karkare took the accused
to Marina Hotel Room No. 40
where the man with muffler
3 Marhatta and one other man
who was called Maharaj.

Plan talked out.

Went in Tanga with Karkare
at about 2.15 from Marina Hotel
other proceeded in a Car.

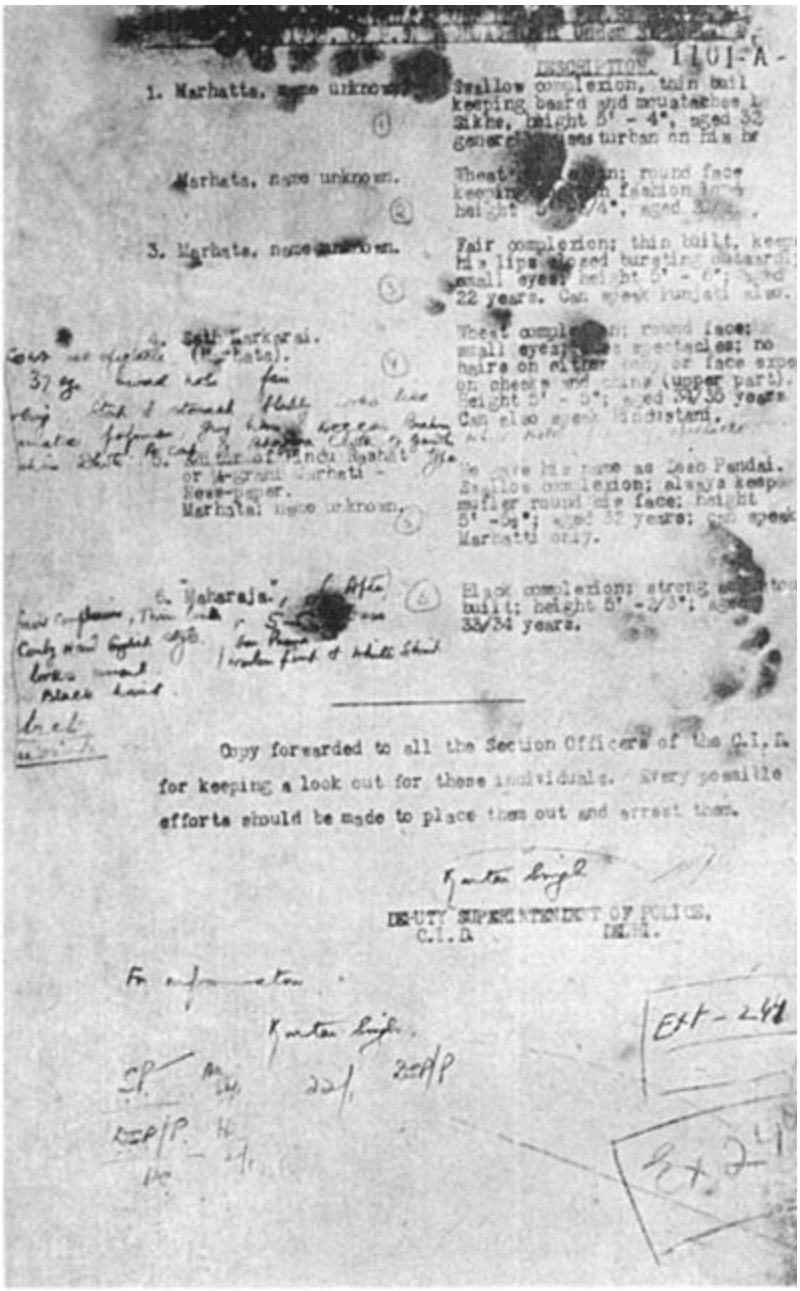
4 Bomb struck a Grenade

English one hotel "
2nd "
3rd one hotel

Maharaja 2 grenades had a Signal
in no Bogus

Karkare man with muffler Rishi of Kumpo Rashtriya Agim A!

Copy of the translation of Madanlal's statement prepared by the Delhi Police.



1. Marhatta, name unknown. Swallow complexion, thin built keeping beard and moustaches & Sikhs, height 5' - 4", aged 33 general ... as turban on his he

Marhata, name unknown. Wheat ... round face ... height ... aged ...

3. Marhata, name unknown. Fair complexion; thin built, kee... his lips closed bursting ... small eyes; height 5' - 6"; ... 22 years. Can speak Punjabi also.

4. Sah... Markpal. ... Wheat complexion; round face; small eyes; ... spectacles; no hairs on either ... or face exce... on cheeks and chins (upper part). Height 5' - 5"; aged 30/35 years. Can also speak Hindustani.

... gave His name as Loon Pandal. Swallow complexion; always keeps muffler round his face; height 5' -5½"; aged 32 years; can speak Marhatti only.

6. Maharaja... Black complexion; strong ... built; height 5' -2/3"; ... 33/34 years.

Copy forwarded to all the Section Officers of the C.I.D. for keeping a look out for these individuals. Every possible efforts should be made to place them out and arrest them.

Kanta Singh
DEPUTY SUPERINTENDENT OF POLICE,
C.I.D. DELHI.

For information.

Kanta Singh.

Ex-24

Ex 24

Ex. 24 Kapur Commission. A police translation of Madanlal's statement.

notice question No.*864 put
A.J.Doddameti.

Will the Hon'ble Minister for
me and Revenue be pleased to
ate -

(1) whether it is a fact that the
lot for the assassination of
hatma Gandhi and plans for the
assination of other high-ranking
dia leaders were hatched in the
mbay Province;

(2) whether reports regarding the
xistence of such a plot had reached
overnment, prior to the assassina-
ion of Mahatma Gandhi;

(3) if so, what precautionary
easures were taken by Government to
revent the tragedy that followed;

(4) what is the number (district-
ise) of the members of the R.S.S.
o far arrested in the Province in
onnection with the ~~grea~~t assassina-
ion of Mahatma Gandhi?

[See para. 4.8]

Proposed reply.

(1) As the investigation into the
alleged conspiracy ~~to assassinate
Mahatma Gandhi and other Indian
leaders~~ is still not complete, it is
too early to give any information
on the question asked in this clause.

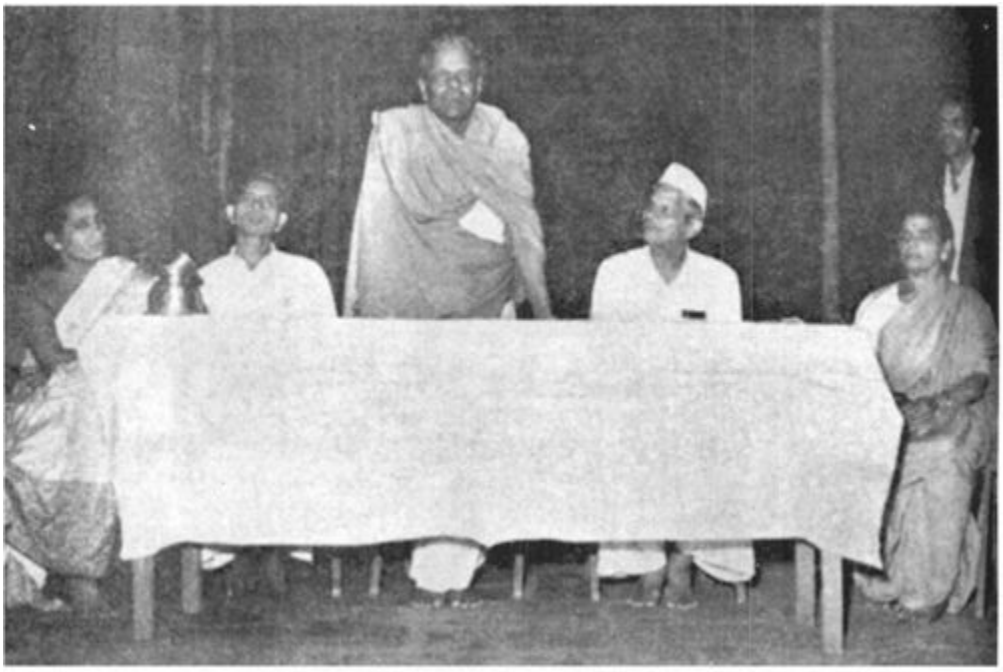
(2) ~~No~~ A report received
on 21st Jan re. such a
plot

(3) ~~Does not arise.~~ [illegible]

(4) Some persons have been arrested
in connection with the assassinati
of Mahatma Gandhi. It is not possi
to say at this stage how many of
them are members of the R.S.S.
Sangh.

Ex 167
7/6/68

Copy of the answer filed in the Bombay Provincial Council during the debate on Gandhi's murder. (Ex. 167, Kapur Commission).



from L. to R. Sindhutai Godse, Gopal Godse, G.V. Ketkar, Vishnu Karkare and Smt S. Karkare at the Satya Vinayak Puja.

(1) Gopal V. Godse,
(2) G.V. Ketkar,
(3) V.R. Thakur,
(4) V.R. Karkare,
(5) Smt. S. Karkare,
(6) Smt. D.H. Thatte at the Satya Vinayak Puja.

G.V. Ketkar addressing the meeting to felicitate Gopal Godse (L) and Vishnu R. Karkare *(R).*

After this Inamdar challenged the authority of the court to hear the case against the accused based on the powers vested in it. 'Till such time it is not established that my client transported an unlicensed revolver, the accused have the right to get the case dismissed and be released.'

28 December 1948: Inamdar continued his arguments saying, 'It is very strange that after learning of a plot to murder a person like Gandhi, the Bombay Police did not implement any measures to protect him.

'When Gandhiji was murdered, instead of immediately recording the statement of Prof. Jain, Nagarvala recorded the statement of Morarji Desai on 16 February. Only after that, he recorded the statement of Prof. Jain. By then, apart from Apte and Karkare all the other accused had been arrested. Jain's statement was recorded in a manner which would confirm the statement of Morarji Desai.'*

1. Madanlal is an idiot and that is why he disclosed the conspiracy to Prof. Jain.
2. Prof. Jain is an even bigger idiot.
3. Morarji Desai and Sardar Patel are unfit for their posts.
4. Nagarvala is also incompetent because he did not record thestatement of Prof. Jain on 21 January itself.'

Then Inamdar raised objections about the method of investigation employed by the police. 'The place where the police had held the accused, in the office building of the Bombay CID headquarters, was freely accessible to the public at large, exposing them to public view, making it easy for them to be identified as the culprits.

The police kept witnesses in their custody before their statements were recorded; Madhukar Kale and Jagdeesh Goyal are two such witnesses. How can one expect such witnesses to tell the truth? P.L. Godbole first denied having seen Gopal Godse, yet the police went to see him. G.B. Kale was also kept in police custody. Who can believe that the police did not exert pressure on the witnesses?'

Inamdar then referred to the search carried out in Parchure's house by the police. 'Parchure was arrested on 17 February. By on whose orders were all the searches carried out? I am only referring to these things in court so that the court knows the behaviour of the police. A trouser and a bag were recovered from Apte and Gopal Godse while they were in custody. The court should not infer anything from these recoveries.

'Badge was cross-examined after the testimony of witnesses, which had an adverse effect on the trial of my clients.'

Referring to the identification parades, Inamdar complained, 'Govindram was asked to identify the accused after two months.'

Referring to the applications for leave submitted by Gopal Godse, Inamdar said, 'There are reasons enough to believe that Gopal Godse stayed in his village during the entire period of his leave. He had resumed duty on 26 January. When he learned that his elder brother had murdered Gandhiji, and that his wife had been threatened with assualt by a non-violent follower of Gandhiji, he immediately surrendered to the police. He went from Kirkee to Uksan, according to the police and he was arrested there.'

Inamdar said, 'Govindram has testified that he had seen Badge and Gopal Godse three days prior to the bomb explosion at the Marina Hotel. Gopal was in Kirkee on 16 January, no one has testified that he flew by plane to Delhi on 17 January. Thus Govindram's testimony is worthless.

'No witness from the Hindu Mahasabha Bhavan was summoned, who could have testified to Gopal's presence there. The forest guard also did not specifically say anything about seeing Gopal in the jungle behind the Hindu Mahasabha Bhavan.

'The day my client was taken for an identification parade, a complaint was lodged with the magistrate regarding the procedure which should have been considered. The behaviour of the police in this regard is very suspicious.

'Since Surjeet Singh did not have a licence to ply a taxi, his livelihood was dependent on being in the good books of the police so his testimony

could have been heavily influenced by the police.

'The court should not derive any conclusion from the fact that on 20 January after the bomb explosion the accused fled from the scene in a state of panic.'

29 December 1948: Inamdar said, 'The description of the person who he had seen talking with Choturam, given by the witness Bhur Sinh to the police on the 20th is entirely different from his testimony in court. The prosecution claims that that person was Karkare, Bhur Sinh has described him as a thin and slightly built person but Karkare is very stout and robust. So the court must not believe Bhur Sinh's testimony. Apart from this, being a servant working at Birla House he is entirely in the control of the police. Bhur Sinh has also identified Gopal Godse, but looking at the contradictions and anomalies in his testimony his identification of Gopal Godse is of no import. Apart from this Bhur Sinh and Sulochana were made to identify the accused after a long time had elapsed.

'The manager of Frontier Hindu Hotel, Ramprakash, said that a person came to his hotel at 4.00 p.m. on the 20th and had reserved a room. He again saw the same person listening to the radio at 9 o'clock that night. Does this seem like- the behaviour of a person who had fled from the scene of the bomb explosion?

'Apart from this the handwriting expert has said in his testimony that the name "Rajgopalan" written in the hotel's register matches the handwriting specimen of Gopal Godse provided by the police. The handwriting expert, in his statement, has said that "Rajgopalan" has been written in a flowing continuous stroke of the pen. But in the cross-examination he admitted that while signing, the pen was lifted mid signature. The expert is a liar. He is a police servant and has given a statement to please his bosses.

'There were some corrections and alterations done to the signature, there was a difference in the ink too. If all this is taken into consideration the prosecution's claim that Gopal Godse was present in Delhi is altogether doubtful.'

Inamdar then referred to the mutual contradictions in Godbole's testimony. He said, 'It is not possible for a person to have been present in Bombay and Thana on the same day, so the court should not arrive at any conclusions against my client based on this.

'The manner in which the revolver was recovered from Gopal Godse is illegal. Panchas should have been appointed before he was searched.

Godbole and Kale were in police custody so they can not be considered as panchas, because the police must have put them under pressure.

'The bag, said to have been recovered from Gopal Godse, is actually Badge's. After Badge was arrested his home was not searched. If it had been searched, it is possible that the bag would have been found there. Thus all the witness testimonies with regards to the bag must be discarded.

'The prosecution has alleged that Gopal Godse applied for leave to travel to Delhi. But it did not produce a single witness from Uksan to testify that Gopal Godse was not present in Uksan during that period. So the court must accept the defence's argument that Gopal Godse was present in Uksan.'

Explaining the reason behind Nathuram Godse nominating Gopal Godse's wife on his insurance policy, Inamdar said, 'It is enough to say that Gopal Godse was unable to save anything from his salary, Nathuram thought of providing for his brother's family.'

Then Inamdar threw light on the past history of Parchure. 'Parchure was the president of the Hindu Sabha and he had staged demonstrations against the Congress, so it was very possible that the Congress had falsely implicated him in this matter, out of spite.'

30 December 1948: Inamdar continued his arguments. He said, 'The testimonies of the Gwalior witnesses Madhukar Kale and Khire are mutually contradictory. Kale has claimed that on hearing the news of Gandhiji's murder he asked Parchure to shut his dispensary, but Khire has said that Parchure did it on his own. Would a person, who was desirous of Gandhiji's death, behave in such manner?'

Speaking about Parchure's confessional statement, Inamdar said, 'Magistrate Atal did not have the authority to do so. By going to the fort, Atal had lost his magisterial authority.

'Apart from this the Inspector-General of Gwalior Police Marsh Smith had ordered that Parchure be held in military custody. Except for the ruler no one has the power to pass such orders. Thus the military custody of Dr. Parchure was illegal.

'Magistrate Atal has said that it took him three hours to prepare and record the confessional statement. How can a seven-page statement be recorded in just three hours? This means that Parchure did not make a confessional statement; Magistrate Atal brought a prewritten statement and got Parchure to sign it. The circumstances under which the statement was recorded coupled with the fact that the prosecution did not present any

credible witnesses to vouch for the authenticity of the statement, does not lead one to believe the prosecution's story. All the witnesses from Gwalior are doubtful. Thus my client must be set free.'

'The contention of the prosecution that no incident had occurred between the 20th and 30th which could have inflamed Godse's anger, and so it must be accepted that Gandhi's murder was not accidental but was according to a well-planned ongoing conspiracy holds no weight. The entire episode must be analysed psychologically. After failing to get volunteers from Parchure, Godse had become dejected and depressed.

'Nathuram was the editor of a newspaper, he was emotional, high strung, unmarried and separated from his family. He had to endure imprisonment because of his beliefs. On arriving in Delhi Godse saw the plight of the refugees and he saw that the Government of India was absolutely handicapped and powerless in the face of Gandhiji's arm-twisting tactics. Was this not reason enough to enrage Nathuram?

'Parchure's father, S.G. Parchure, came and settled in Gwalior. The accused Parchure was born in Gwalior, and since his birth he has lived there. Thus there is no doubt about the fact that Parchure is a citizen of the princely state of Gwalior.' In conclusion, Inamdar said, 'The prosecution's entire case is doubtful and suspicious.'

With this ended the arguments of the defence counsels.

JUDGE CONGRATULATED BY BOTH THE PROSECUTION ANDDEFENCE

Daftary on behalf of the prosecution and Bhopatkar on behalf of the defence thanked and congratulated the judge for patiently hearing the matter.

Thus concluded the hearings in the Gandhi murder trial. Judge Atmacharan promised that he would deliver judgement within a month.

The recording of the testimonies of the prosecution's witnesses went on for eighty-four days. The testimonies ran into 696 pages. Every question and answer was written in English and translated into Telugu, Marathi and Hindustani. Some witnesses had given their testimonies in Gujarati and Punjabi too.

The prosecution submitted 354 documents in court and the defence submitted 118. Eighty other articles relating to the trial were deposited in court.

A notable aspect was that the entire argument of the defence was based on proving that there was no conspiracy and that the act was entirely that of Nathuram Godse committed due to the outrage he experienced, an act of momentory insanity. The accused and their defence counsel used the trial to continuously harp on the RSS-Hindu Mahasabha's litany that Gandhi was responsible for the partitioning of India. The strategy was to create sympathy and support for the murderers of Gandhi and to the advocacy of the Hindu supremacists ideology of the Sangh and the Sabha.

The martyr Bhagat Singh and his fellow revolutionaries had used their trial to broadcast their patriotic ideology. Godse and his band of zealots, although never having emulated the deeds of Azad, Bhagat Singh, Bismil and Ashfaqullah Khan, aped their strategy and used the trial to preach their gospel of hate and bigotry.

THE JUDGEMENT

On 10 February 1949 at 11.30 am Judge Atmacharan delivered the judgement, in the Gandhi murder trial.

He sentenced Gandhi's murderer Nathuram V. Godse and his accomplice Narayan D. Apte to death by hanging.

Vishnu R. Karkare, Madanlal K. Pahwa, Shankar Kistayya, Gopal V. Godse and Dr. Dattatreya S. Parchure were sentenced to life in prison. (In India this meant a maximum of fourteen years in prison.)

The judge found Vinayak Damodar Savarkar 'Not Guilty' and ordered his immediate release.

Badge, the approver, was also released in accordance with the conditional pardon granted to him.

Each accused rose as his sentence was read out. Before being removed from the dock all the accused raised slogans in court—*'Hindu Dhami Ki fai',* 'Hail Hindu Religion'; *'Tod ke rahenge Pakistan, Hindi Hindu Hindustan'*, 'We will destroy Pakistan, India will be a land of Hindi-speaking Hindus only', till they were taken away.

The judge informed the accused that they were free to appeal against their sentences within fifteen days in a higher court.

The judge recommended that Shankar Kistayya's sentence should be reduced from life imprisonment to seven years' rigorous imprisonment.

A DESCRIPTION OF THE SCENE IN COURT THAT DAY

The court was packed to capacity. The vicinity of the Red Fort was declared as a Restricted Area and a large force of policemen and soldiers were deployed to maintain law and order. At 11.20 am the room adjoining the dock was opened and, led by Nathuram Godse, the eight accused entered. Only Savarkar bore a very serious expression. The other accused, especially Godse, Apte and Karkare, looked cheerful and kept smiling and nodding at their family and acquaintances present in court.

Judge Atmacharan, wearing his regular black suit, entered the courtroom at exactly 11.30 am. All in the courtroom rose. The judge first called Nathuram Godse; he stood up. He sat down after listening to his sentence. Then Apte, Karkare, Madanlal, Shankar Kistayya, Gopal Godse and Dr. Parchure were called and sentenced. In the end Judge Atmacharan called V. D. Savarkar, the judge declared that he found Vinayak D. Savarkar 'Not Guilty'. He was declared innocent of all the charges filed against him. The judge ordered that if he was not required he was to be released immediately. It took the judge twenty minutes to read out the sentences.

Judge Atmacharan left the court after informing the accused that they should take a copy of the judgement which was available with the court's clerk. Two minutes later the accused were removed from the dock.

After the court arose, it was declared that the Delhi district magistrate had promulgated the Public Security Ordinance in the Delhi province. He had ordered that Savarkar be kept in the Red Fort for the time being to maintain law and order.

All the confiscated arms, ammunition, explosives and bombs were to be preserved. The pistol used to murder Gandhi and the recovered spent bullets were also to be preserved. The judge ordered that no decision could be made about these without consulting the Union government. They could be required for display in a national museum.

The judgement was 204 pages long.

SAVARKAR PROHIBITED FROM ENTERING DELHI FOR THENEXT THREE MONTHS

On the evening of 10 February 1949, in accordance with the Punjab Public Security Act, the Delhi district magistrate ordered V. D. Savarkar to leave Delhi immediately and not to re-enter for the next three months.

JUDGE ATMACHARAN REPRIMANDS THE POLICE

Judge Atmacharan drew the attention of the Union government to the almost criminal negligence displayed by the police in preventing the tragedy. He wrote, 'I draw the attention of the Union government to the shocking inefficiency and the lack of initiative displayed by the police in investigating the matter between 20-30 January 1948. After the arrest of Madanlal, the Delhi Police had detailed information about the existence of a conspiracy to murder Gandhiji, in a very comprehensive statement made by Madanlal. Dr. J.C. Jain had informed the Honourable Minister, Morarji Desai, about the existence of a conspiracy to murder Mahatma Gandhi, the Bombay Police were immediately given all the information. On the basis of these two statements, contact was immediately established between the Delhi and Bombay Police. But the Police failed in extracting any benefit from these two statements. If at that time investigations were carried out with due diligence and a bit of enterprise, it is possible that this tragedy could have been averted.'

This was a very severe indictment of the police by a presiding judge and was made part of a judgement. Surprisingly none of the policemen were taken to task. Senjevi and Rana were allowed to retire honourably, others were rewarded with promotions. Jamshed D. Nagarvala retired as India's top cop. Nagarvala, long after he retired from the police force, maintained that he was convinced that, without the help and active involvement of Savarkar in the conspiracy to murder Gandhi, the murderers would not have succeeded.

THE JUDGEMENT

Charge I:

Offences and Sentences

'That you Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Madanlal K. Pahwa, Shankar Kistayya, Gopal V. Godse, Vinayak D. Savarkar and Dattatreya S. Parachure between December 1,1947, and January 30, 1948, at Poona, Bombay, Delhi and other places agreed and conspired among and between yourselves and Digambar R. Badge, who has been tendered a pardon, Gangadhar S. Dandvate, Gangadhar Jadhav and Suryadev Sharma, who along with others not known or absconding, to do or cause to be done an illegal act. viz., to commit the murder of Mohandas Karamchand Gandhi more popularly known as "Mahatma Gandhi" and that

the same act viz., the murder of Mahatma Gandhi, was done in pursuance of the said agreement and conspiracy at Delhi on 30 January 1948, and thereby committed an offence punishable under section 120-B of the Indian Penal Code and within the cognisance of the court.

'It has already been held established that there was a "conspiracy" to commit the murder of Mahatma Gandhi, that the conspiracy was definitely in existence in the beginning of January 1948 and continued till 30-1-1948. The "conspiracy" took place at Poona, Bombay, Delhi, Gwalior and other places and that among the conspirators were at least Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Madanlal K. Pahwa, Shankar Kistayya, Gopal V. Godse and Dattatreya S. Parachure along with Digambar R. Badge. These accused joined the "conspiracy" at different places and at different times. The offence of Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Madanlal K. Pahwa, Shankar Kistayya, Gopal V. Godse and Dattatreya S. Parachure, in the circumstances, clearly falls within the purview of Section 120-B of the Indian Penal Code read with Section 302 of the Code.

'Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Madanlal K. Pahwa, Shankar Kistayya, Gopal V. Godse, and Dattatreya S. Parachure thus are clearly 'guilty' under Section 120-B of the Indian Penal Code read with Section 302 of the Code.'

Charge II:

'That in pursuance of the said agreement and conspiracy between January 13, 1948, and January 20, 1948 you Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Madanlal K Pahwa, Shankar Kistayya, Gopal V. Godse, along with Digambar R. Badge A (1) transported without a licence to Delhi arms and ammunition viz., 2 revolvers with cartridges, in contravention of the provisions of Section 10 of the Indian Arms Act and thereby committed an offence punishable under Section 19(d) of the Indian Arms Act within the cognisance of the court;

(2) abetted each other in the commission of the above offence and thereby committed an offence punishable under Section 19(d) of the Indian Arms Act read with Section 109 and 114 of the Indian Penal Code and within the cognisance of the court;

B(l) at Delhi, had without a licence in your possesssion and under your control arms and ammunition, viz., 2 revolvers with cartridges, in

contravention of the provisions of the Section 14 and 15 of the Indian Arms Act and thereby committed an offence punishable under Section 19(f) of the Indian Arms Act read with Section 114 of the Indian Penal Code and within the cognisance of the court;

(2) at Delhi, abetted each other in the commission of the above offence and thereby committed an offence punishable under Section 19(f) of the Indian Arms Act read with Section 114 of the Indian Penal Code and within the cognizance of the court.

'The two revolvers said to have been transported to Delhi and tried out in the jungle behind the Hindu Mahasabha Bhawan have been recovered and have not been produced before the court. It could not in the circumstances, be held as to what was real nature of the "article" so transported to Delhi and so tried out in the jungle behind Hindu Mahasabha Bhavan. It would accordingly be unsafe to hold the charge established as against Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Madanlal K. Pahwa, Shankar Kistayya and Gopal V Godse.'

Charge III:

'That in pursuance of the said agreement and conspiracy between January 10, 1948, and January 20, 1948 at Delhi, you Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Madanlal K Pahwa, Shankar Kistayya and Gopal V. Godse along with Digambar R. Badge A (1) had in your possesssion and under your control explosive substances viz., 2 gun-cotton-slabs and 5 hand-grenades with detonators and wicks; with intent to endanger life by means thereof or to enable any other person to endanger life by means thereof and thereby committed an offence punishable under Section 4 (b) of the Explosive Substances Act read with Section 6 of the Act and within the cognizance of the court;

B (1) had in your possesssion and under your control explosive substances, viz., 2 gun-cotton-slabs and 5 hand-grenades with detonators and wicks, under such circumstances as to give rise to a reasonable suspicion that you did not have them in your possesssion or under your control for a lawful object and thereby committed an offence punishable under Section 5 of the Explosive Substances Act and within the cognizance of the Court;

(2) abetted each other in the commission of the above offence and thereby committed an offence punishable under Section 5 of the Explosive

Substances Act read with Section 6 of the Act and within the cognizance of the Court.

One gun cotton slab and four hand-grenades out of the two gun cotton slabs and the five hand-grenades said to have been in possession of the accused at Delhi have been recovered, and the evidence in regard thereto led before the Court. Out of the explosives recovered one hand-grenade had been recovered from the possesssion of Madanlal K. Pahwa and one gun-cotton-slab and three hand-grenades had been recovered at the instance of Shankar Kistayya from behind the Hindu Mahasabha Bhawan.

'The findings arrived at above are that the accused were in possesssion of two gun-cotton-slabs and five hand-grenades at Delhi on 20-1-1948. One of the gun-cotton-slabs was exploded at the Birla House by Madanlal K. Pahwa. The subject matter of the charge in regard thereto is Charge IV. It has already been mentioned above that my general impression is that it was really intended to make Digambar R. Badge enter the room of Choturam and throw the hand grenade in his possesssion through an opening in the trellis-work of the window therein at Mahatma Gandhi. Digambar R. Badge, however, could not be persuaded to enter the room. The offence of Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Madanlal K. Pahwa, Shankar Kistayya and Gopal V Godse in regard to that hand-grenade, in the circumstances, clearly falls within the purview of Section 4(b) of the Explosive Substances Act read with Section 6 of the Act and in regards to remaining explosives clearly falls within the purview of Section 5 of the explosive Substances Act in the alternative u/s 5 of the Explosive Substances Act read with section 6 of the Act.'

CHARGE ESTABLISHED

Nathuram V. Godse, Narain D. Apte, Vishnu R. Karkare, Madanlal K Pahwa, Shankar Kistayya, and Gopal V. Godse thus are clearly 'guilty' u/s 4(b) of the Explosive Substances Act read with Section 6 of the Act and u/s 5 of Explosive Substances Act in the alternative u/s 5 of the Explosive Substances Act read with Section 6 of the Act.

Charge IV:

'That in pursuance of the said agreement and conspiracy on January 20, 1948, at the Birla House, Delhi, you A(l) Madanlal K. Pahwa, unlawfully and maliciously caused an explosive substance, viz., a gun cotton slab, to

explode, which explosion was of a nature likely to endanger life and to cause serious injury to property and thereby committed an offence, punishable under Section 6 of the Act and within the cognizance of the Court.'

(2) Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Shankar Kistayya and Gopal V. Godse along with Digambar R. Badge, abetted Madanlal K. Pahwa in the commission of the above offence, and thereby committed an offence, punishable under Section 3 of the Explosive Substances Act read with Section 6 of the Act and within the cognizance of the Court.'

The findings arrived at above are that Madanlal K. Pahwa exploded a gun-cotton-slab over the back compound wall of the Birla House on 20-1-1948. His act in doing so was certainly unlawful and malicious. The explosion was also of a nature likely to endanger life. In the circumstances the offence of Madanlal K. Pahwa clearly falls within the purview of Section 3 of the Explosive Substances Act and the offence of Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Shankar Kistayya and Gopal V. Godse u/s 3 of the Explosive Substances Act read with Section 6 of the Act.

Thus Madanlal K. Pahwa is clearly 'guilty' u/s 3 of the Explosive Substances Act and Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Shankar Kistayya and Gopal V. Godse are clearly 'guilty' u/s 3 of the Explosive Substances Act read with section 6 of the Act.

Charge V:

'That the said agreement and conspiracy on January 20, 1948, at the Birla House, Delhi, you Nathuram V. Godse, Narayan D. Apte, Vishnu R Karkare, Madanlal K Pahwa, Shankar Kistayya, Gopal V. Godse and Vinayak D. Savarkar along with Digambar R. Badge abetted each other in commission of an offence, viz., to commit the murder of "Mahatma Gandhi" which offence is punishable with death or transportation for life and which offence was not committed in consequence of the abetment and thereby committed an offence punishable under Section 115 of the Indian Penal Code read with Section 302 of the Indian Penal Code and within the cognizance of the Court.'

FIRST ATTEMPT FAILS

'The findings arrived at above are that though an effort was made to commit the murder of Mahatma Gandhi at the Birla House on 20-1-1948 but it ultimately failed as Digambar R. Badge would not agree to enter the room of Choturam. The offence of Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Madanlal K. Pahwa, Shankar Kistayya and Gopal V. Godse, in the circumstances, clearly falls within the purview of Section 115 of the Indian Penal Code read with Section 302 of the Code.

'Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Madanlal K. Pahwa, Shankar Kistayya and Gopal V. Godse thus clearly "guilty" u/s 115 of the Indian Penal Code read with Section 302 of the Code.'

Charge VI:

'That in pursuance of the said agreement and conspiracy between January 28, 1948, and January 30, 1948, you A(l) Nathuram V. Godse and Narayan D. Apte brought without a licence from Gwalior to Delhi arms and ammunition. Viz., Automatic Pistol No 606824 with cartridges, in contravention of the provisions of Section 6 of the Indian Arms Act and thereby committed an offence punishable under Section 19(c) of the Indian Arms Act within the cognizance of the Court;

(2) Nathuram V. Godse, Narayan D. Apte and Dattatreya S. Parachure abetted each other in the commission of the above offence and thereby committed an offence punishable under Section 19(c) of the Indian Arms Act read with Section 114 of the Indian Penal Code and within the cognizance of the Court;

B(l) Nathuram V. Godse at Delhi had in your possesssion and under your control arms and ammunition, viz., Automatic Pistol No 606824 with cartridges, in contravention of Section 14 and 15 of the Indian Arms Act and thereby committed an offence punishable under Section 19(f) of the Indian Arms Act and within the cognizance of the Court;

(2) Narayan D. Apte & Vishnu R. Karkare at Delhi, abetted each other in the commission of the above offence and thereby committed an offence punishable under Section 19(f) of the Indian Arms Act read with Section 114 of Indian Penal Code and within the cognizance of the Court.

The findings arrived at above are that Nathuram V Godse and Narayan D. Apte brought without a licence from Gwalior to Delhi arms and ammunition, viz., Automatic Pistol No 606824 with cartridges during the period between 28-1-1948 and 29-1-1948. The offence of Nathuram V.

Godse and Narayan D. Apte, in the circumstances, clearly falls within the purview of Section 19(c) of the Indian Arms Act or in the alternative under Section 114 of the Indian Penal Code read with Section 19(c) of the Indian Arms Act.'

SCOPE OF INDIAN ARMS ACT

Whatever Dattatreya S. Parachure is said to have done in the matter he did from Gwalior. The Indian Arms Act extends to the whole of India, and does not stand extended extra-territorially. Dattatreya S. Parachure, in the circumstances, cannot be held liable for abetting the commission of the offence punishable under Section 19(c) of the Indian Arms Act.

The findings arrived at further are that Nathuram V. Godse was in possesssion of automatic pistol No 606824 with cartridges on 30-1-1948 and that day Narayan D. Apte and Vishnu R. Karkare were along with Nathuram V. Godse at Delhi Main Rly. Station. In the circumstances of offence of Naturam V. Godse clearly falls within the purview of Section 19(f) of the Indian Arms Act and the offence of Narayan D. Apte and Vishnu R. Karkare clearly falls within the purview of Section 114 of the Indian Penal Code read with Section 19(f) of the Indian Arms Act.

Thus Nathuram V. Godse is clearly 'guilty' under Section 1(c) of the Indian Arms Act or in the alternative under Section 114 of the Indian Penal Code read with Section 19(c) of the Indian Arms Act and under Section 19(f) of the Indian Arms Act, Narayan D. Apte is clearly 'guilty' under Section 19(c) of the Indian Arms Act or in the alternative under Section 114 of the Indian Penal Code read with Section 19(c) of the Indian Arms Act and under Section 114 of the Indian Penal Code with Section 19(f) of the Indian Arms Act and Vishnu R. Karkare is clearly 'guilty' under Section 114 of the Indian Penal Code read with Section 19(f) of the Indian Arms Act.

Charge VII:
'That in pursuance of the said agreement and conspiracy on January 30, 1948, at Birla House, Delhi, you A (1) Nathuram V. Godse did commit murder by intentionally and knowingly causing the death of "Mahatma Gandhi" and thereby committed an offence punishable under Section 302 of the Indian Penal Code and within the cognizance of the court.

(2) Narayan D. Apte & Vishnu R. Karkare abetted Nathuram V Godse in the commission of the above offence, which offence was committed in your

presence and thereby committed an offence punishable under Section 302 of the Indian Penal Code read with Section 114 of the Indian Penal Code and within the cognizance of the court;

(3) Madanlal K Pahwa, Shankar Kistayya, Gopal V. Godse, Vinayak D. Sarvarkar & Dattatreya S. Parachure along with Digambar R. Badge abetted Nathuram V. Godse in the commission of the above offence and thereby committed an offence punishable under Section 302 of the Indian Penal Code read with Section 109 of the Indian Penal Code and within the cognizance of the court.'

The findings arrived at above are that Nathuram V. Godse intentionally and knowingly caused the death of Mahatma Gandhi on 30-1-1948. The offence of Nathuram V. Godse, in the circumstances, clearly falls within the purview of Section 302 of the Indian Penal Code.

The presence of Narayan D. Apte and Vishnu R. Karkare at the time of the murder of Mahatma Gandhi at Birla House has not been established on behalf of the prosecution. The only evidence forthcoming on their behalf is to the effect that Narayan D. Apte and Vishnu R. Karkare were along with Nathuram V. Godse at the Delhi Main Ry. Station till about mid-day on 30-1-1948. The offence of Narayan D. Apte and Vishnu R. Karkare, in the circumstances, clearly falls within the purview of Section 109 of the Indian Penal Code read with Section 302 of the Code.

MADANLAL'S POSITION

'The position of Madanlal K. Pahwa and Shankar Kistayya, however, stands altogether on a different footing. Soon after the explosion incident Madanlal had been arrested by the police on 20-1-1948, and was thereafter throughout in custody. The very evidence produced on behalf of the prosecution goes to show that Digambar R. Badge after what had taken place at the Birla House on 20-1-1948 became disgusted, and came back along with Shankar Kistayya to the Hindu Mahasabha Bhawan. Digambar R. Badge asked Shankar Kistayya to throw away all the "stuff" that they had in the room. Nathuram V. Godse and Narayan D. Apte then came to the Hindu Mahasabha Bhawan and asked him what had happened. Digambar R. Badge abused them, and asked them to get out. There was thereafter no communication whatsoever in regards to the "conspiracy" between Digambar R. Badge and Shankar Kistayya on the one hand, and Nathuram

V. Godse, Narayan D. Apte, Vishnu R. Karkare and Gopal V. Godse, on the other.

On these facts it may safely be inferred that Digambar R. Badge and Shankar Kistayya had completely dissociated themselves from the "conspiracy" after what had taken place at the Birla House and that the conspiracy' for them had come to an end on 20-1-1948, Madanlal K. Pahwa and Shankar Kistayya, in the circumstances, cannot be held liable for abetting the commission of the offence punishable u/s 302 of the Indian Penal Code.

There is nothing on the record of the case to justify the inference that Gopal V. Godse had dissociated himself completely from the "conspiracy" after the explosion incident at Birla House on 20-1-1948. The evidence on the record of the case, on the other hand, goes to show that Gopal V Godse had visited Naturham V. Godse and Narayan D. Apte at Bombay on 24-1-1948 and that Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare and Gopal V. Godse had met together at the house of G.M. Joshi at Thana on 25-1-1948. Dattatreya S. Parachure joined the "conspiracy" on 27-1-1948 when he agreed to get a pistol procured for Nathuram V Godse and Narayan D. Apte. The offence of Gopal V. Godse and Dattatreya S. Parachure, in the circumstances, clearly falls within the purview of Section 109 of the Indian Penal Code read with Section 302 of the Code.

'It has already been held above that Dattatreya S. Parachure is a "British subject domiciled in India". Even if it be taken for granted just for argument's sake that he is a subject of the Gwalior State, then still he is triable at Delhi in view of the fact that the offence of murder was completed at Delhi 13 Cr. L.J. 426 and 29 Cr. L.J. 1089 are in support of this view.

'Thus Nathuram V. Godse is clearly "guilty" u/s 302 of the Indian Penal Code and Narayan D. Apte, Vishnu R. Karkare, Gopal V. Godse and Dattatreya S. Pachure are clearly "guilty" u/s 109 of the Indian Penal Code read with Section 302 of the Code.

'Nathuram V. Godse accordingly is "guilty" (1) u/s 120-B of the Indian Penal Code read with Section 302 of the Code. (2) under Section 19(c) of the Indian Arms Act or in the alternative under Section 114 of the Indian Arms Act, (3) under Section 19(f) of the Indian Arms Act, (4) under Section 5 of the Explosive Substances Act or in the alternative u/s 5 of the Explosive Substances Act read with Section 6 of the Act, (5) under Section 4(b) of the Explosive Substances Act read with Section 6 of the Act, (6)

under Section 3 of the Explosive Substances Act read with Section 6 of the Act; (7) under Section 115 of the Indian Penal Code read with Section 302 of the Indian Penal Code and (8) u/s 302 of the Indian Penal Code.

'Narayan D. Apte accordingly is "guilty" (1) under Section 120-B of the India Penal Code read with Section 302 of the Code, (2) under Section 19(c) of the Indian Arms Act in the alternative under Section 114 of the Indian Penal Code read with Section 19(c) of the Indian Arms Act, (3) under Section 144 of the Indian Penal Code read with Section 19(f) of the India Arms Act, (4) under Section 5 of the Explosive Substances Act or in the alternative under Section 5 of the Explosive Substances Act read with Section 6 of the Act, (5) under Section 4(b) of the Explosive Substances Act read with Section 6 of the Act, (6) under Section 3 of the Explosive Substances Act read with Section 6 of the Act, (7) under Section 115 of the Indian Penal Code read with Section 302 of the Code and (8) under Section 109 of the Indian Penal Code read with Section 302 of the Code.

'Vishnu R. Karkare accordingly is "guilty" (1) under Section 120-B of the Indian Penal Code read with Section 302 of the Code, (2) u/ s 114 of the Indian Penal Code read with Section 19 (f) of the Indian Arms Act, (3) u/s 5 of the Explosive Substances Act or in the alternative u/s 5 of the Explosive Substances Act read with Section 6 of the Act, (4) u/s 4(b) of the Explosive Substances Act read with Section 6 of the Act, (5) u/s 3 of the Explosive Substance Act read with Section 6 of the Act, (6) u/s 115 of the Indian Penal Code read with Section 302 of the Code and (7) u/s 109 of the Indian Penal Code read with Section 302 of the Code.

'Madanlal K. Pahwa accordingly is "guilty" (1) u/s 120-B of the Indian Penal Code read with Section 302 of the Code. (2) u/s 5 of the Explosive Substances Act or in the alternative u/s 5 of the Explosive Substances Act read with Section 6 of the Act, (2) u/s 4(b) of the Explosive Substances Act read with Section 6 of the Act, (4) u/s 3 of the Explosive Substances Act and (5) u/s 115 of the Indian Penal Code read with Section 302 of the Code.

'Shankar Kistayya accordingly is "guilty" (1) u/s 120-B of the Indian Penal Code read with Section 302 of the Code, (2) u/s 5 of the Explosive Substances Act or in the alternative u./s 3 of the Explosive Substances Act read with Section 6 of the Act, (3) u/s 4(b) of the Explosive Substances Act read with Section 6 of the Act, (4) u/s 3 of the Explosive Substances Act read with Section 6 of the Act and (5) u/s 115 of the Indian Penal Code read with Section 302 of the Code.

'Gopal V. Godse accordingly is "guilty" (1) u/s 120-B of the Indian Penal Code read with Section 302 of the Code, (2) u/s 5 of the Explosive Substances Act read with Section 6 of the Act, (3) u/s 4(b) of the Explosive Substances Act read with Section 6 of the Act, (4) u/s 3 or in the alternative u/s 5 of the explosive Substances Act read with Section 6 of the Act, (5) u/s 115 of the Indian Penal Code read with Section 302 of the Code and (6) u/s 109 of the Indian Penal Code read with Section 362 of the Code.

'Dattatreya S. Parchure accordingly is "guilty" (1) u/s 120-B of the Indian Penal Code read with Section 302 of the Code and (2) u/s 109 of the Indian Penal Code read with Section 302 of the Code.

'The main offences established against the accused are u/s 120- B of the Indian Penal Code read with Section 302 of the Code, u/s 115 of the Indian Penal Code read with Section 302 of the Code and under Section 302 of the Indian Penal Code or under Section 109 of the Indian Penal Code read with Section 302 of the Code. The subsidiary offences established against the accused are under Section 19 of the Indian Arms Act and under Section 3, 4(b) and 5 of the Explosive Substances Act.

'Chapter V-A comprising Section 120-A and 120-B was enacted by the Indian Criminal Law Amendment Act of 1913 and was enacted to assimilate the Indian to the English Criminal Law. According to the English Criminal Law a conspiracy to commit felony merges in the felony, if committed. The contention, as such, on behalf of the defence is that the accused cannot be convicted under Section 120-B of the Indian Penal Code read with Section 302 of the Code as well under Section 109 of the Indian Penal Code read with Section 302 of the Code.'

Harrison in his *Law of Conspiracy* (Edition 1924) on page 73 lays down as follows:

'If a conspiracy to commit a crime is actually carried out, the conspiracy is not merged in the crime, and it is technically possible for the accused to be indicted twice, once for the conspiracy and once for the crime (as explained by Lord Campbell in O'Connell v. Reg. (1844) II CI. And F. 155) but this is discouraged by Judges as being unfair to the accused (see R.V Boulton (1871) 12 Cox 87). This rule does not, however, apply to conspiracies to commit a felony, and if the agreement is carried out and the felony is actually committed, then the conspiracy is merged therein, by virtue of the statute 14 and 15 Vict, c.100, s.12.'

No such law has been made applicable to India. The rulings, on the other hand, forthcoming on behalf of the prosecution go to show that the practice so far adopted by the courts in India has been to convict one or both in regards to the offence of conspiracy as well as in regards to the offence of abetment by conspiracy but to pass the sentence in regard to the latter offence only. 35 Cr. L.J. 322 and 39 Cr. L.J. 452 clearly go to show that an accused could be convicted both for conspiracy and abetment of conspiracy but a separate sentence for conspiracy is not called for. The defence have drawn my attention to 39 Cr. L.J. 266 which lays down as below:

Section 120-B, Penal Code, only applies where no offence has been actually committed and it is only in latter rare case where no crime has been committed in pursuance of a criminal conspiracy that sanction to initiate proceedings is necessary as some safeguard against frivolous prosecution. Where, however, the matter has gone beyond the stage of mere conspiracy and offences are alleged to have been actually committed in pursuance thereof. S.S.120-A and 120-B, are wholly irrelevant. Conspiracy is one form of abetment and where an offence is alleged to have been committed by more than two persons, such of them as actually took part in the commission should be charged with the substantive offence, while those who are alleged to have abetted it by conspiracy should be charged with the offence of abetment under S. 109, Penal Code.'

This is a single Judge ruling of the Madras High Court, while the ones cited on behalf of the prosecution are the Division Bench ruling of the Lahore High Court and the ruling Privy Council. The Court is thus bound by 35 Cr.L.J. 322 and 39 Cr. L.J.452.

Some of the accused have been held guilty under Section 120-B of the Indian Penal Code read with Section 302 of the code and under Section 115 of the Indian Penal Code read with Section 302 of the Code, and some of the accused have been held guilty under Section 120-B of the Indian Penal Code read with Section 302 of the Code, Under Section 115 of Indian Penal Code read with Section 302 of the Code and under Section 109 of the Indian Penal Code read with Section 302 of the Code. Separate sentences, in the circumstances, need not be passed under Section 120-B of the Indian Penal Code read with Section 302 wherein a person stands convicted under Section 120-B of the Indian Penal Code read with Section 302 of the Code as well as under Section 109 of Indian Penal Code read with Section 302 of the Code. On the same principle, in my opinion, separate sentences also

need not be passed wherein a person stands convicted under Section 115 of the Indian Penal Code read with Section 302 of the Code as well as under Section 109 of the Indian Penal Code read with Section 302 of the Code. However, an altogether different position arises wherein a person stands convicted under Section 120- B of the Indian Penal Code read with Section 302 of the Code as well as under Section 115 of the Indian Penal Code read with Section 302 of the Code, The minimum punishment that could be awarded under Section 120-B of Indian Penal Code read with Section 302 of the Code is "transportation for life", but maximum punishment that could be awarded under Section 115 if the Indian Penal Code read with Section 302 of the Code, wherein no hurt is caused, is "seven years".'

A DELIBERATE ACT

'The act of Nathuram V. Godse in committing the murder of Mahatma Gandhi was a deliberate and a calculated one. No extenuating circumstances have been pointed out nor could have been pointed out on his behalf. The only sentence, in the circumstances, that could be passed on him under Section 302 of the of the Indian Penal Code is the sentence of death.

'The act of Narayan D. Apte in abetting the offence of the murder of Mahatma Gandhi is in no way less heinous. He throughout took the lead at each stage of the crime and at the most crucial moment either just ran away from the scene or just absented himself from the scene of the crime. Had it not been for his brainwork the murder of Mahatma Gandhi probably would never have been committed. The only sentence, in the circumstances, that could be passed on him under Section 109 of the Indian Penal Code read with Section 302 of the Code is the sentence of death.

'So far as Vishnu R. Karkare, Gopal V. Godse and Dattatreya S. Parachure are concerned, it would, in my opinion, meet the ends of justice if they are sentenced each to undergo transportation for life under Section 109 of the Indian Penal Code read with Section 302 of the Code. This is the minimum sentence awardable under Section 109 of the Indian Penal Code read with Section 302 of the Code.

'Now the question is what sentences should be awarded to Madanlal K. Pahwa and Shankar Kistayya under Section 120-B of the Indian Penal Code read with Section 302 of the Code under Section 115 of the Indian Penal Code read with Section 302 of the Code. It would, in my opinion, meet the

end of justice if they are sentenced each to undergo transportation for life under Section 120-B of the Indian Penal Code read with Section 302 of the Code. This is minimum sentence awardable under Section 120-B of the Indian Penal Code read with Section 302 of the Code. There is nothing on the record of the case to show as to why a lenient view at all be taken in regard to the offence punishable under Section 115 of the Indian Penal Code read with Section 302 of the Code. Madanlal K. Pahwa and Shankar Kistayya, in the circumstances, should be sentenced each to undergo seven years' rigorous imprisonment under Section 115 of the Indian Penal Code read with Section 302 of the Code.'

LENIENCY FOR SHANKAR

'Shankar Kistayya is the servant of Digambar R. Badge, whatever he did more or less in obedience to the orders of his master Digambar R. Badge. Unless it was for Digambar R. Badge he would never have been approached by the other accused to join the conspiracy. Shankar Kistayya, in the circumstances, certainly deserves some leniency. I would accordingly recommend that his sentence of transportation of life under Section 120-B of the Indian Penal Code read with Section 302 of the Code may be commuted to seven years' rigorous imprisonment under Section 401 and 402 of the Code of Criminal Procedure.

'It would, in my opinion, meet the ends of justice if Nathuram V Godse and Narayan D. Apte are sentenced each to undergo two years rigorous imprisonment under Section 19(c)of the Indian Arms Act or in the alternative under Section 114 of the Indian Penal Code read with Section 19(c) of the Indian Arms Act, if Nathuram V. Godse is sentenced to undergo two years' rigorous imprisonment under Section 19(f) of the Indian Arms Act and if Narayan D. Apte and Vishnu R. Karkare are sentenced each to undergo two years' rigorous imprisonment under Section 114 of the Indian Penal Code read with Section 19(f) of the Indian Arms Act.

'It would, in my opinion, meet the ends of justice if Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Madanlal K. Pahwa, Shankar Kistayya and Gopal V. Godse are sentenced each to undergo three years rigorous imprisonment under Section 5 of the Explosive Substances Act or in the alternative under Section 5 of the Explosive Substances Act read with Section 6 of the Act five years' rigorous imprisonment under Section 4(b) of the Explosive Substances Act read with Section 6 of the Act, if Nathuram

V. Godse, Narayan D. Apte, Vishnu R. Karkare, Shankar Kistayya, Gopal V. Godse are sentenced each to undergo seven years' rigorous imprisonment under Section 3 of Explosive substances Act read with Section 6 of the Act and if Madanlal K. Pahwa is sentenced to undergo ten years' rigorous imprisonment under Section 3 of the Explosive Substances Act.

CONFIRMATION BY HIGH COURT

'Now the question is whether the sentences of death are subject to confirmation by the Hon'ble High Court. It has already been stated above that the trial of the case has been under provisions of the Bombay Public Security Measures Act as extended to the Province of Delhi. Section 16 of the Act lays down that 'a Special Judge may pass any sentence authorised by law.' Section 19 of the Act lays down that the provisions of the Code and of any other law for the time being in force, in so far as they may be applicable and in so far as they are not inconsistent with the provisions of Section 10 to 20 shall apply to all matters connected with, arising from, or consequent upon, "a trial by Special Judge appointed under Section 11." Section 31 of the Code of Criminal Procedure lays down that "a Sessions Judge may pass any sentence authorised by law." A sentence of death passed by a Special Judge thus is not subject to confirmation by the High Court.

'This provision of the Code thus is inconsistent with the provisions of Section 16 of Bombay Public Security Measures Act as extended to the Province of Delhi, which just lays down that "a Special Judge may pass any sentence authorised by law." A sentence of death passed by a Special Judge thus is not subject to confirmation by the High Court.

'There is yet another way of looking at the matter. Section 18(3) of the Bombay Public Security Measures Act as extended to the Province of Delhi, which just lays down that "no Court shall ... save as herein otherwise provided, have jurisdiction of any kind in respect of proceedings of any Special Judge." Section 18(2) of the Act gives power to the High Court in respect of the proceedings of any Judge only under Sections 423, 426, 427 & 428 of the Code of Criminal Procedures. Power to confirm a sentence of death under Section 376 of the Code of Criminal Procedure is not there. Had a sentence of death been subject to confirmation such power would certainly have been there. No doubt, the marginal note against Section 18 of

the Act speaks of "appeal, revision and confirmation," but the marginal note could not be referred to for purposes of construing the Act.'

FINAL ORDER

Nathuram V. Godse

'He is found 'guilty' under Section 120-B of the Indian Penal Code read with Section 302 of the Code, under Section 19(c) of the Indian Arms Act or in the alternative under Section 114 of the Indian Penal Code read with Section 19(3) of the Indian Arms Act, under Section 19(f) of the Indian Arms Act, under Section 5 of the Explosive Substances Act or in the alternative under Section 5 of th e Explosive Substances Act read with Section 6 of the Act, under Section 4(b) of the Explosive Substances Act read with Section 6 of the Act, under Section 3 of the Explosive Substances Act read with Section 6 of the Act, under Section 115 of the Indian Penal Code read with Section 302 of the Code and under Section of the Indian Penal Code is convicted thereunder and is sentenced (1) to two years' rigorous imprisonment under Section 19(c) of the Indian Arms Act, (2) to two years' rigorous imprisonment under Section 19(f) of the Indian arms Act, (3) to three years' rigorous imprisonment under Section 5 of the Explosive Substances Act read with Section 6 of the Act, (4) to five years' rigorous imprisonment under Section 4(b) of the Explosive Substances Act read with Section 6 of the Act, (5) to seven years' rigorous imprisonment under Section 3 of the Explosive Substances Act read with Section 6 of the Act and (6) to death under Section 302 of the Indian Penal Code—*he is to he hanged by the neck till he is dead:* the sentences of imprisonment shall run concurrently.

'He is found 'not guilty' of the remaining offences as specified in the charge, and is acquitted thereunder.'

Narayan D. Apte

'He is found "guilty" u/s 120-B of the Indian Penal Code read with Section 302 of the Code, u/s 19(c) of the Indian Arms Act or in the alternative u/s 114 of the Indian Penal Code read with Section 19(f) of the Indian Arms Act, u/s of the Explosive Substances Act or in the alternative u/s 5 of the Explosive Substances Act read with Section 6 of the Act, u/s 4(b) of the Explosive Substances Act read with Section 6 of the Act, u/s 115 of the Indian penal Code read with Section 302 of the Code, u/s 109 of the Indian

Penal Code read with Section 302 of the Code, is convicted thereunder and is sentenced (1) to two years' R.I. u/s 19(c) of the Indian Arms Act or in the alternative u/s 114 of the Indian Penal Code read with Section 19(f) of the Indian Arms Act, (2) to two years' R.I. u/s 114 of the Indian Penal Code read with Section 19(f) of the Indian Arms Act, (3) to three years' R.I. u/s 5 of the Explosive Substances Act read with Section 6 of the Act. (4) to five years' R.I. u/s 4(b) of the Explosive Substances Act with Section 6 of the Act, (5) to seven years' R.I. u/s 3 of the Explosive Substances Act read with Section 6 of the Explosive Substances Act and (6) to death u/s 109 of the Indian Penal Code read with Section 302 of the Code—*he is to be hanged by the neck till he is dead:* the sentences of imprisonment shall run concurrently.

'He is found 'not guilty' of the remaining offences as specified in the charge, and is acquitted thereunder.'

Vishnu R. Karkare

'He is found "guilty" u/s 120-B of the Indian Penal Code read with Section302 of the Code, u/s 114 of the Indian Penal Code read with Section 19(f) of the Indian Arms Act, u/s 5 of the Explosive Substances Act or in the alternative u/s 5 of Explosive Substances Act read with Section 6 of the Act or in the alternative u/s 5 of the Explosive Substances Act read with Section 6 of the Act, u/s 4(b) of the explosive Substances Act read with Section 6 of the Act, u/s 3 of the Explosive Substances Act read with Section 6 of the Act, u/s 115 of the Indian Penal Code read with Section 302 of the Code and u/s 109 of the Indian Penal Code read with Section 302 of the code, is convicted thereunder and is sentenced (1) to two years' R.I. u/s 114 of the Indian Penal Code read with Section 19(f) of the Indian Arms Act, (2) to three years' R.I. u/s 5 of the Explosive Substances Act or in the alternative of the Act, (3) to five years' R.I. u/s 4(b) of the Explosive Substances Act read with Section 6 of the Act, (4) to seven years' R.I. u/s 3 of the Explosive Substances Act read with Section 6 of the Act and (5) to transportation of life u/s 109 of the Indian Penal Code read with Section 302 of the Code; the sentences of imprisonment shall run concurrently and concurrent with the sentence of transportation for life.

'He is found "not guilty" of the remaining offences as specified in the charge, and is acquitted thereunder.'

Madanlal K. Pahwa

'He is found "guilty" u/s 120-B of the Indian Penal Code read with Section 302 of the Code, u/s of the Explosive Substances Act or in the alternative u/s 5 of the Explosive Substances Act read with Section 6 of the Act, u/s 4(b) of the Explosive Substances Act read with Section 6 of the Act, u/s 3 of the Explosive Substances Act and u/s 115 of the Indian Penal Code read with Section 302 of the Code, is convicted thereunder and is sentenced (1) to transportation of life u/s 120-B of the Indian Penal Code read with Section 302 of the Code, (2) to three years' R.I u/s 5 of the Explosive Substances Act read with Section 6 of the Act, (3) to five years' R.I. u/s 3 of the Explosive Substances Act read with Section 6 of the Act, (4) to ten years R.I. under section 3 of the Explosive Substances Act and (5) to seven years' R.I. u/s 115 of the Indian Penal Code read with Section 302 of the Code; the sentences of imprisonment shall run concurrently with the sentence of transportation for life.

He is found "not guilty" of the remaining offences as specified in the charge, and is acquitted thereunder.

Shankar Kistayya

'He is found "guilty" u/s 120-B of the Indian Penal Code read with Section 302 of the Code, u/s 5 of the Explosive Substances Act or in the alternative u/s 5 of the Explosive Substances of act with Section 6 of the Act under Section 4(f) of the Explosive Substances Act read with Section 6 of the Act, u/s 3 of the Explosive Substances Act in the alternative u/s 5 of the Explosive Substances Act read with Section 6 of the Act and u/s 115 of the Indian Penal Code read with Section 302 of the Code, is convicted thereunder and is sentenced (1) to transportation for life u/s 120-B of the Indian Penal Code read with Section 302 of the Code, (2) to three years' R.I. u/s 5 of the Explosive Substances Act or in the alternative u/s of the Act (3) to five years' R.I. u/s 4(b) of the Explosive Substances Act read with Section 6 of the Act, (4) to seven years' R.I. u/s 3 of the Explosive Substance Act read with Section 6 of the Act and (5) to seven years' R.I u/s 115 of the Indian Penal Code read with Section 302 of the Code with the recommendation that the sentence of transportation for life u/s 120-B of the Indian Penal Code read with Section 302 of the Code may be commuted to seven years' R.I. u/s 401 and 402 of the Code of Criminal Procedure : the

sentences of imprisonment shall run concurrently and concurrent with the sentences of transportation for life.

'He is found 'not guilty' of the remaining offences as specified in the charge and is acquitted thereunder.'

Gopal V. Godse

'He is found "guilty" u/s 120-B of the Indian Penal Code read with Section 302 of the Code, u/s 5 of the Explosive Substances Act or in the alternative u/s 5 of Explosive Substances Act read with Section 6 of the Act, u/s 4(b) of the explosive Substances Act read with Section 6 of the Act, u/s 3 of the Explosive Substances Act read with Section 6 of the Act, u/s 115 of the Indian Penal Code read with Section 302 of the Code and u/s 109 of the Indian Penal Code read with Section 302 of the Code, is convicted thereunder and is sentenced (1) to three years' R.I. u/s 5 of the Explosive Substances Act or in the alternative u/s 5 of the Explosive Substances Act read with Section 6 of the Act, (2) to five years' R.I. u/s 4(b) of the Explosive Substances Act read with Section 6 of the Act, (3) to seven years R.I. u/s 3 of the Explosive Substances Act read with Section 6 of the Act and (4) to transportation for life u/s 109 of the Indian Penal Code read with Section 302 of the Code; the sentences of imprisonment shall run concurrently and concurrent with the sentence of transportation for life.

'He is found "not guilty" of the remaining offences as specified in the charge, and is acquitted thereunder.'

Dattatreya S. Parchure

'He is found "guilty" under Section 120-B of the Indian Penal Code read with Section 302 of the Code read with Section 302 of the Code and u/s 109 of the Indian Penal code read with Section 302 of the Code, is convicted thereunder and is sentenced to transportation for life u/s 109 of the Indian Penal Code read with Section 302 of the Code.

'He is found "not guilty" of the remaining offences as specified in the charge, and is acquitted thereunder.

Vinayak D. Savarkar

'He is found "not guilty" of the offences as specified in the charge, and is acquitted thereunder. He is in custody and be released forthwith unless required otherwise.

'Digambar R. Badge has fulfilled the condition of his pardon, and be released from custody forthwith unless required otherwise.

'Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Madanlal K. Pahwa, Shankar Kistayya, Gopal V.Godse. and Dattraya S. Parachure are informed that, if they want to appeal from this order they should do so within fifteen days from today. Copies of the Judgement are ready and may be had on application just now.

'I may bring to the notice of the Central Government the slackness of the police in the investigation of the case during the period between 20-1-1948 and 30-1-1948. The Delhi Police had obtained a detailed statement from Madanlal K. Pahwa soon after his arrest on 20-1-1948. The Bombay Police had also been reported the statement of Dr. J.C. Jain that he had made to the Hon'ble Morarji Desai on 21-1-1948. The Delhi Police and the Bombay Police had contacted each other soon after these two statements had been made. Yet the Police miserably failed to drive any advantage from these two statements. Had the slightest keenness been shown in the investigation of the case at that stage the tragedy probably could have been averted.

'My thanks are due to the counsel for the prosecution as well as the counsel for the defence for the cooperation they showed throughout with the court. Had it not been for their absolute cooperation the case of the nature could not have been disposed of in this time.

'My thanks are also due to the staff of the Court. They came from different districts in the United Provinces, and worked splendidly throughout their stay at Delhi.

'All arms, ammunition and explosives and the articles connected therewith brought on the record of the case are confiscated to the Crown u/s 527 of the Code of Criminal Procedure Exs 14, 28, 29 and 30 are the shells of the hand-grenades that had been distributed at the Marina Hotel on 20-1-1948. Ex. 39 is the automatic-pistol with which Mahatma Gandhi was shot dead on 30-1-1948. Exs 9, 10, and 55 are the empty cartridge-case for the cartridges that had been fired at Mahatma Gandhi on 30-1-1948. Exs. 11 and 12 are the spent bullets that had passed right through the body of Mahatma Gandhi on 30-1-1948. No action in regard thereto be taken without first consulting the Central Government. They may perhaps be required for the National Museum.'

(sd) ATMACHARAN,
I.C.S.,

Judge, Special Court

Red Fort, Delhi
February 10, 1948

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[*] All bracketed italics by the author.

[*] There is a discrepancy in the ages of the accused in the book I referred to for the court proceedings. My assumption is that these have either cropped up as printer's devils or because of the many varied sources from where all the information, for this otherwise very detailed book, have been gathered. My source for all the details about the Gandhi murder trial is based largely on *Gandhi Hatyakand* in Hindi; *Gandhi Murder Trial* in English published by Dewan Ram Prakash for Tagore Memorial Publications, New Delhi in March 1949; second edition, March 1949, printed at the Hind Union Press, New Delhi; and a book written by Justice Khosla, *The Murder of a Mahatma and Other Cases of the Punjab High Court,* who heard the appeal of the accused along with two other judges and who was a witness to the execution of Nathuram Godse and Narayan Apte.

[*] *Gandhi Murder Trial* does not mention Pandit Thakurdas in the prosecution team but instead names J.C. Shah. It also lists Vyavharkar as M.G. instead of N.G. as in *Gandhi Hatyakand.*

[*] It should have been Kasar, Appa Kasar, a handyman who worked for VD. Savarkar.

[*] In a previous instance, when the administrator of the Telephone Revenue Department of New Delhi, RR. Kailash, was being cross-examined it has been mentioned that the Bombay number was listed in the name of the Chief Defence Counsel Bhopatkar, and another number 60210 has been mentioned as appearing on the bill raised on the Hindu Mahasabha. These confusing and conflicting testimonies were never cleared and ended up discrediting vital evidence that linked Savarkar to the case.

[*] According to Manohar Mulgaonkar, in his book *The Men Who Killed Gandhi,* Badge was a cruel and miserly employer, who used to torture and ill-treat Kistayya.

[**]This should be the prosecution counsel, since Badge did not have a counsel because he was given a pardon.

[*] In his book *The Men Who Killed Gandhi* Manohar Malgaonkar writes that Shankar had wandered around bewildered after the arrest of his master, Badge. He finally landed up at Dixit Maharaj's home in Bhuleshwar, and was told to go to the CID office. Shankar was found wandering around in the office and when questioned, revealed his identity. According to Malgaonkar, Nagarvala greeted Shankar in his office with a resounding slap.

[*] This has to be a mistake; the orders were given in Bombay, on 21 January. Nagarvala and the other police officials were not blessed with the gift of clairvoyance, as their bungling of the bomb explosion case indicates that they lacked even foresight! And according to police records Nagarvala was very much in Bombay on 21 January.

[*] This is surprising because Desai was leaving for Ahmedabad that night. The Madras Mail does not go to Ahmedabad, and it departs from Victoria Terminus, now known as Chhatrapati Shivaji Terminus. Either it is a printer's devil in the Hindi book *Gandhi Hatyakand* or it is a mistake made by Nagarvala in histestimony.

[**] Testifying before the Kapur Commission, Nagarvala claimed that he had inquired about Karkare's whereabouts by contacting his brother in Ahmednagar, since he could not contact the DSP.

† This again is a puzzling statement from Nagarvala. At the beginning of his testimony Nagarvala has stated that when he instructed the Ahmednagar police to arrest Karkare, he had also inquired if they had already arrested him on the basis of previous orders issued for the arrest of Karkare under the Bombay Security Ordinance. If this was the case, his department must have been aware of the antecedents of Vishnu Ramchandra Karkare.

* These are the two policies on which Nathuram nominated the wives of Apte and Gopal Godse as beneficiaries. These policies had been accepted as evidence in the court's records.

* A printer's devil has caused this glaring error in the narrative in *Gandhi Hatyakand*, Sadashiv Gopal Parchure and Gopal Vinayak Godse have merged to become Sadashiv Gopal Godse.

* Dange seems to have forgotten that Badge has mentioned in his testimony that he had asked his wife to bring his account books and all the documents and correspondence.

* Dange seems to have sleep-walked through the trial. The prosecution never stated that Karkare, Gopal Godse and Shankar were to attack Gandhi from Choturam's Room. The plan was that after Madanlal exploded that gun cotton bomb, Karkare and Shankar would throw hand grenades at Gandhi from the front while Badge, who would have gained entry into Choturam's room, would throw a hand grenade at Gandhi through the ventilator and fire on him through the ventilator grill.

* Another far-fetched claim. Badge took the bag containing the weapons to Dixit Maharaj's home because, according to his testimony, Apte and Godse were not able to store the weapons at Savarkar Sadan.

* Here Das is being clever, as the telegram was sent by Karkare in an effort to re-establish contact with his partners in crime. If he had known about Apte's presence in Bombay he would not have sent a telegram to Poona.

* Bannerjee, although Madanlal's counsel, seemed to be under the assumption that he was the chief defence counsel and kept making comments regarding the case against many of the other accused. This was a trick employed by the defence to obfuscate and prolong the proceedings in an attempt to complicate and compromise the trial.

** Bannerjee seems to be suffering from amnesia here. While testifying in court, apart from reading out Parchure's confessional statement, Magistrate R.B. Atal, P.W. 56, had also described in detail the entire process employed to record the statement, the events in detail about the approach made to him by the police, the description of the fort and the barracks as well as the cell in which Parchure was held.

† Bannerjee conveniently forgets that Madanlal had been ticked off by the leaders of the gang that morning for being lazy and late in getting up. It is very natural that Madanlal was sulking as he had been reprimanded.

* Bannerjee conveniently forgets his earlier argument that Hindu Mahasabha Bhavan was a public place; it is only natural that the gang members wanted the privacy of the hotel room to prepare explosives, clean and repair weapons and do the final planning in the privacy of a hotel room.

* Inamdar is wrong in saying that till 16 February Apte and Karkare were not arrested. The two were arrested on 14 February.

13

APPEALS AND EXECUTION

'Assaults have been made on my life in the past, but God has spared me till now, and the assailants have repented for their action. But if someone were to shoot me in the belief that he was getting rid of a rascal, he would kill not the real Gandhi, but the one that appeared to him a rascal.'

— MAHATMA GANDHI

All those convicted in the Gandhi murder trial appealed to the Punjab high court within four days of their sentencing by the special court. The chief justice of Punjab constituted a three judge bench to hear the appeal of the accused in the trial, which comprised Mr. Justice A.N. Bhandari, Mr. Justice Achchruram and Mr. Justice G.D. Khosla.

In describing the appeal in the high court, material from the book written by Justice G.D. Khosla, *The Murder of the Mahatma,* and in particular the chapter—'Crimes of Nathuram'—have been extensively used. Describing the preparation for the trial Justice Khosla writes: 'An appeal in a murder case is, according to High Court Rules and Orders, heard by a Division Bench consisting of two judges, but owing to the unique position which the deceased had occupied, the complexity and volume of the evidence which would have to be considered and appraised and the unprecedented interest aroused by the case, the Chief Justice decided to constitute a bench of three judges to hear the appeal by Godse and his accomplices. The judges were Mr. Justice A.N. Bhandari, Mr. Justice Achchruram and myself. We decided that as a special measure we should resume the old practice of wearing wigs, and that on our entry into the courtroom we should, as in the olden days, be preceded by our liveried ushers carrying silver-mounted staffs.

'The Punjab High Court was, at that time, located at Simla, where it had been hurriedly set up during the autumn of 1947, because at no other place was suitable accommodation available. The Government of India had placed at our disposal "Peterhoff", a large manorial building which was formerly the summer residence of the Viceroy. It was a picturesque house standing in pleasant surroundings and commanding a view of the distant

hills with their snow-covered peaks. But it was scarcely suitable for a high court. The viceregal bedrooms, stripped of their opulent furnishings and silver-plated fittings, gave an appearance of mock austerity, but even the largest of them was not commodious enough for a court-room in which, besides the judge and his reader, half a dozen lawyers and their clerks spent several hours a day; and often the parties to the case under consideration also came to see how their lawyers were handling their misfortunes and hopes and how the judge was reacting to the pleas put forward on their behalf. There must be a table for the judge, another for his reader and stenographer, a separate table for the lawyers on which they can place their briefs and the law books they cite. And when a few book-shelves to hold law reports and other books of reference were placed along the walls, there was no room left for the public.

'We had a constant feeling of being cramped, and there was nothing that we could do to improve matters. Chandigarh and the massive High Court building into which we moved in the beginning of 1955 was still no more than an idea. Fortunately the non-litigant public of Simla was incurious about High Court proceedings, and we seldom had any visitors. But the hearing of the appeal in the Gandhi murder case was expected to arouse widespread interest and bring large numbers of lawyers, pressmen and spectators to court each day, and there was not a single court-room which could accommodate even the persons actually engaged in dealing with the appeal.

The ballroom on the ground floor was being used as a passage giving access to the court-rooms on the first floor. Constructed for vice-regal entertainment during the summer months when the seat of the Government of India used to move from Calcutta to Simla, the large hall was cold and draughty. However, with a few minor alterations and the addition of a dais at one end, it became an admirable court-room, and the generous teak wood staircase which came down to the specially constructed dais displayed a dignity worthy of the robed and bewigged judges who day after day for a period of six weeks marched down it, preceded by ushers resplendent in their scarlet and gold liveries and carrying tall silver-mounted staffs—symbols of the triple embodiment of law. Such splendour and glory had not been witnessed in the refugee High Court since it had been forced to abandon its old seat in Lahore. The staffs had been put away in a store-room because the narrow corridors between the bedrooms allowed no play

for processional ritual, and even the wigs had ceased to be worn because many of the advocates had left them behind in Lahore in their stampede to safety; and at Simla they had made a formal request that the dress regulation be relaxed in this respect. Their re-appearance on the opening day of the appeal was, therefore, all the more impressive.

The hearing began on 2 May 1949. It was a bright day with the gold of the sun lying in a thin layer on the lawns of "Peterhoff". There was a slight chill in the air, and the ballroom was warmed by a dozen or so electric fires. Policemen stood guard at the entrance, and admission to the courtroom was regulated by passes issued by the registrar. This was done partly for reasons of security, but chiefly to limit the number of persons who could be accommodated without taxing the patience of our staff or disturbing the proceedings. When we took our seats on the dais, I saw that the room was full to capacity. All the black-coated and gowned lawyers who were not engaged in arguing their cases before other judges had spread themselves over the privileged front rows in a large inky splash. Behind them sat the members of the gentry of Simla, who had succeeded in exercising a sufficient measure of their influence to secure passes. There were separate seats for pressmen and reporters, and to the right of the dais a score or so of chairs had been reserved for the V.I.P.s. These comprised the wives and daughters of hon'ble judges and high Government officials.

'At a long table in front of the dais sat an impressive row of advocates representing the appellants and the King. There was Mr. Bannerjee, a senior advocate from Calcutta, for Apte and Madanlal Pahwa, Mr. Dange for Karkare, Mr. Avasthi of the Punjab High Court, engaged at public expense to represent Kistayya, who was too poor to pay counsel's fees, and Mr. Inamdar from Bombay [Inamdar, counsel for Parchure and Gopal Godse, was from Gwalior] for Parchure and Gopal Godse. Nathuram Godse had declined to be represented by a lawyer, and had made a prayer that he should be permitted to appear in person and argue his appeal himself. This prayer had been granted, and so he stood in a specially constructed dock. His small defiant figure with flashing eyes and close-cropped hair offered a remarkable and immediately noticeable contrast to the long row of placid and prosperous looking lawyers who represented his accomplices. The plea of poverty on which Godse had based his request to be present inperson was only an excuse, and the real reason behind the manoeuvre was a morbid desire to watch the process of his disintegration at first hand and also to

exhibit himself as a fearless patriot and a passionate protagonist of Hindu ideology. He had remained completely unrepentant of his atrocious crime, and whether out of a deep conviction in his beliefs or merely in order to make a last public apology, he had sought this opportunity of displaying his talents before he dissolved into oblivion.

'On the right-hand end of the front row sat four lawyers who were appearing for the prosecution—Mr. Daphtary, Advocate-General of Bombay, Messrs. Petigara and Vyavaharkar, also from Bombay, and Mr. Kartar Singh Chawla of our own High Court'.

There was a falling out between the three judges on the very first day of the hearing which is apparent from Khosla's book. Thus the decision to appoint a three judge bench proved futile. The cleft in the bench was so deep and wide that separate judgements were delivered in the appeal trial. The cause of the rift as described by Khosla:

'I have made it a rule never to make a deep study of any case before the actual hearing begins. I usually read the judgment appealed against to acquaint myself of the salient facts and get an overall impression of the matter I have to deal with. I have always been of the view that too close a pre-study of the evidence and a mastery of the details involved hinder a fair and impartial hearing, because, away from the open atmosphere of the court and without the point of view of the two parties before it, the mind is apt to interpret the whole case in the light of its personal prepossessions. This builds up an unconscious resistance against the arguments of counsel, for though judges are perpetually advertising the remarkable fluidity of truly judicial minds and their capacity for remaining open till the last word in a cause has been uttered, eminent judges are notoriously obstinate and difficult to dislodge from their beliefs and convictions. I have known judges who come to court even more fully prepared than the lawyers engaged by the parties. I have a suspicion that they do this partly from a sense of their high duty, but also because of their desire to make an exhibition of their industry and erudition. No matter how learned and experienced the judge, if he has made a deep study of a case he will inevitably have formed an opinion regarding its merits before he comes to court. So, he will start with a bias and it will be difficult to displace him from his position, for his subconscious mind will refuse to admit that something important escaped his close study of the case or that a certain piece of evidence was

erroneously interpreted. A truly liquid mind is a very rare commodity among high judicial dignitaries.

'My friend and colleague Mr. Justice Achchruram has always been a very industrious lawyer. He commanded an extensive and lucrative practice at the Bar before he was raised to the Bench, and he brought with him his inimitable capacity for hard work and his deep knowledge of Civil Law. Criminal Law and procedure had remained comparative strangers to him, though he had often sat on a Bench dealing with criminal matters. For weeks before the appeal of Godse and his accomplices came up for hearing, he had been studying the bulky volumes in which the entire evidence, oral and documentary, was contained. There were in all 1,131 printed pages of foolscap size and a supplementary volume of 115 pages of cyclostyled foolscap paper. He had taken pains to look up a number of reported cases dealing with some legal aspects of the trial, and had made a note of these rulings. So, when he came to court on the morning of May 2, he showed a complete understanding of the facts of the case as well as of the points of law raised in the memoranda of appeals.

'I have always had the profoundest respect for my colleague, both as a lawyer and as a judge, and I shall continue to respect his learning, but his habit of industry had a most unfortunate consequence on the first day of the Godse appeal. The case was opened by Mr. Bannerjee, who started by putting forward an argument that a charge of conspiracy could not survive the consummation of the purpose of the conspiracy, and the conspirators could not be tried on multiple charges of conspiracy to murder Mahatma Gandhi and also of actually murdering him. They should have been tried for murder and abatement *(sic)* of murder. Mr. Bannerjee's argument was that owing to this serious irregularity the trial of all the appellants was vitiated. It was, as lawyers say, a nice point, and much could be said for and against it; but no sooner had Mr. Bannerjee uttered a few sentences than Mr. Justice Achchruram cut him short by drawing his attention to a number of reported rulings from the various High Courts of India. Mr. Bannerjee tried, in vain, to expound the law on the subject according to his own understanding of it. The merest reference to a decision which supported his argument was repulsed by a volley of rulings to the contrary. My friend Mr. Justice Bhandari, as the senior most judge of the bench, felt that he should be the one to guide and control the proceedings, which during the course of the day resolved themselves into an animated dialogue with Mr. Bannerjee

being allowed to utter only a few brief and minor speeches. Justice Bhandari was greatly concerned about the unusual trend which the hearing had taken, and thought that the bench was making a far from dignified exhibition of its judicial attitude in a case which was drawing very widespread attention. He feared we might convey the impression that we had already made up our minds about the whole case and had no wish to examine the merits of any argument advanced on behalf of the convicted persons.

'After the day's proceedings were over he came to my chamber and confided to me his irritation over the day's proceedings and his misgiving about the future conduct of the case. He asked me how he should deal with the situation. I agreed with him that the day had been a very unusual one, and, if the faces of the large audience were any indication, we seemed to have provided a great deal of entertainment for the gallery.

' "But he won't let the case proceed. Gopal, we can't go on like this. The lawyer should be allowed to argue his case."

' "H'm, yes. But, you know, some judges like to talk. They just can't help chipping in when counsel is arguing. It happens even in England."

' "Don't you think I should speak to him? You see, we have spent five hours over the case and we haven't advanced a single step forward."

' "Well, you might mention it to him. He won't like it."

'Mr. Justice Achchruram didn't like it. In fact, he greatly resented it, and for the next few days relations between two of the members of the bench were far from cordial. They hardly spoke to one another, and each greeted the other with a scowl'.

Justice Khosla, very subtly, raised doubts about the competence of his colleague Justice Achchruram, saying that although the latter was very competent in civil manners he lacked experience in criminal matters and procedures.

The entire procedure of the hearing of the appeal lasted for twenty- six sittings. Banerjee began the proceedings for the defence. He raised objections to the publication of a book *Bapu Ko Na Bacha Saka* 'I Could Not Save Bapu' by Prof. J.C. Jain. He claimed that by writing and publishing the book the author had committed contempt of court. He argued about the non-admissibility of a conspiracy and the double charges of accomplice in murder as well as conspirator in murder charges. His arguments continued till 4 May. Bannerjee was indisposed on 5 May so

Nathuram was asked to make his statement. Instead of writing or commenting on what Nathuram said in court, I quote from Justice Khosla's book:

'The highlight of the appeal before us was the discourse delivered by Nathuram Godse in his defence. He spoke for several hours discussing, in the first instance, the facts of the case and then the motives which had prompted him to take Mahatma Gandhi's life. He had pursued the same line in the long written statement which he had filed in the trial court, and the following passages taken from this statement will give some indication of his opinions and attitudes:

' "Born in a devotional Brahmin family, I instinctively came to revere Hindu religion, Hindu history and Hindu culture. I had been intensely proud of Hindudom as a whole. Nevertheless, as I grew up, I developed a tendency to free thinking unfettered by any superstitious allegiance to any 'ism', political or religious. That is why I worked actively for the eradication of untouchability and the caste system based on birth alone. I publicly joined anti-caste movements and maintained that all Hindus should be treated with equal status as to rights, social and religious, and should be high or low on their merit alone and not through the accident of birth in a particular caste or profession. I used publicly to take part in organised anti-caste dinners in which thousands of Hindus, Brahmins, Kshatriyas, Vaishyas, Chamars and Bhangis broke the caste rules and dined in the company of each other.

' "I have read the works of Dadabhai Naoroji, Vivekanand, Gokhale, Tilak along with the books of ancient and modern history of India and of some prominent countries in the world like England, France, America and Russia. Not only that, I studied tolerably well the current tenets of Socialism and Communism too. But above all I studied very closely whatever Veer Savarkar and Gandhiji had written and spoken, as to my mind, these two ideologies had contributed more to mould the thought and action of modern India during the last fifty years or so, than any other single factor had done.

' "All this reading and thinking brought me to believe that, above all, it was my first duty to serve the Hindudom and the Hindu people, as a patriot and even as a humanitarian. For, is it not true that to secure the freedom and to safeguard the just interests of some thirty crores of Hindus constituted the freedom and the well-being of one-fifth of human race? This conviction

led me naturally to devote myself to the new Hindu Sanghatanist ideology and programme, which alone, I came to believe, could win and preserve the national independence of Hindustan, my Motherland, and enable her to render true service to humanity as well.

' "In 1946 or thereabouts the Muslim atrocities perpetrated on the Hindus under the Government patronage of Suhrawardy in Noakhali, made our blood boil. Our shame and indignation knew no bounds, when we saw that Gandhiji had come forward to shield that very Suhrawardy and begun to style him as 'Shahid Saheb'—a Martyr Soul(!) even in his prayer meetings. Not only that, but after coming to Delhi, Gandhiji began to hold his prayer meetings in a Hindu temple in Bhangi Colony and persisted in reading passages from the Koran as a part of the prayer in that Hindu temple, in spite of the protest of the Hindu worshippers there. Of course he dared not read *Gita* in a Mosque in the teeth of Muslim opposition. He knew what a terrible Muslim reaction there would have been if he had done so. But he could safely trample over the feelings of the tolerant Hindu. To belie this belief I determined to prove to Gandhiji that the Hindu too could be intolerant when his honour was insulted.

' "Just after that followed the terrible outburst of Muslim fanaticism in the Punjab and other parts of India. The Congress Government began to persecute, prosecute and shoot the Hindus themselves who dared to resist the Muslim forces in Bihar, Calcutta, Punjab and other places. Our worst fears seemed to be coming true; and yet how painful and disgraceful it was for us to find that the 15th of August 1947 was celebrated with illuminations and festivities, while the whole of the Punjab was set by the Muslims in flames and Hindu blood ran in rivers. The Hindu Mahasabhaites of my persuasion decided to boycott the festivities and the Congressite Government, and to launch a fighting programme to check Muslim onslaughts.

' "Five crores of Indian Muslims have ceased to be our countrymen; virtually the non-Muslim minority in Western Pakistan has been liquidated either by the most brutal murders or by a forced tragic removal from their moorings of centuries; the same process is furiously at work in Eastern Pakistan. One hundred and ten million people have been torn from their homes of which not less than four million are Muslims, and when I found that even after such terrible results Gandhiji continued to pursue the same policy of appeasement, my blood boiled and I could not tolerate him any

longer. I do not mean to use hard words against Gandhiji personally, nor do I wish to conceal my utter dissent from and disapproval of the very foundation of his policy and methods. Gandhiji in fact succeeded in doing what the British always wanted to do in pursuance of their policy of 'Divide and Rule'. He helped them in dividing India and it is not yet certain whether their rule has ceased.

' "The accumulating provocation of 32 years, culminating in his last pro-Muslim fast, at last, goaded me to the conclusion that the existence of Gandhiji should be brought to an end immediately. On coming back to India he developed a subjective mentality under which he alone was to be the final judge of what was right or wrong. If the country wanted his leadership it had to accept his infallibility; if it did not, he would stand aloof from the Congress and carry on in his own way. Against such an attitude there can be no half-way house; either the Congress had to surrender its will to his, and had to be content with playing the second fiddle to all his eccentricity, whimsicality, metaphysics and primitive vision, or it had to carry on without him. He alone was the judge of everyone and everything; he was the master brain guiding the civil disobedience movement; nobody else knew the technique of that movement; he alone knew when to begin it and when to withdraw it. The movement may succeed or fail; it may bring untold disasters and political reverses, but that could make no difference to the Mahatma's infallibility.'*A Satyagrahi* can never fail' was his formula for declaring his own infallibility and nobody except he himself knew who a *Satyagrahi* was. Thus Gandhiji became the judge and the counsel in his own case. These childish inanities and obstinacies coupled with a most severe austerity of life, ceaseless work and lofty character made Gandhiji formidable and irresistible. Many people thought his politics were irrational, but they had either to withdraw from the Congress or to place their intelligence at his feet to do what he liked with it. In a position of such absolute irresponsibility Gandhiji was guilty of blunder after blunder, failure after failure and disaster after disaster. No one single political victory can be claimed to his credit during 33 years of his political predominance.

' "So long as Gandhian method was in the ascendance *(sic),* frustration was the only inevitable result. He had, throughout, opposed every spirited revolutionary, radical and vigorous individual or group, and constantly boosted his *Charka,* non-violence and truth. The Charka had, after 34 years

of the best efforts of Gandhiji, only led to the expansion of the machine-run textile industry by over 200 per cent. It is unable even now to clothe even one per cent of the nation. As regards non-violence, it was absurd to expect 40 crores of people to regulate their lives on such a lofty plane and it broke down most conspicuously in 1942. As regards truth the least I can say is that the truthfulness of the average Congressman is by no means of a higher order than that of the man in the street, and that very often it is untruth, in reality, masked by a thin veneer of pretended truthfulness.

' "Gandhiji's inner voice, his spiritual power and his doctrine of non-violence, of which so much is made of, all crumbled before Mr. Jinnah's iron will and proved to be powerless. Having known that with his spiritual powers he could not influence Mr. Jinnah, Gandhiji should have either changed his policy or could have admitted his defeat and given way to others of different political views to deal with Mr. Jinnah and the Muslim League. But Gandhiji was not honest enough to do that. He could not forget his egoism or self even for national interest. There was, thus, no scope left for the practical politics while the great blunders—blunders as big as the Himalayas— were being committed.

' "Those who personally know me, take me as a person of quiet temperament. But when the top-rank leaders of the Congress with the consent of Gandhiji divided and tore the country—which we consider as a deity of worship—my mind became full with the thoughts of direful anger. Briefly speaking, I thought to myself and foresaw that I shall be totally ruined and the only thing that I could expect from the people would be nothing but hatred and that I shall have lost all my honour, even more valuable than my life, if I were to kill Gandhiji. But at the same time I felt that the Indian politics in the absence of Gandhiji would surely be practical, able to retaliate, and would be powerful with armed forces. No doubt, my own future would be totally ruined but the nation would be saved from the inroads of Pakistan. People may even call me and dub me as devoid of any sense or foolish, but the nation would be free to follow the course founded on reason which I consider to be necessary for sound nation-building. After having fully considered the question, I took the final decision in the matter but I did not speak about it to anyone whatsoever. I took courage in both my hands and I did fire the shots at Gandhiji, on 30 January 1948, on the prayer grounds in Birla House. There now remains hardly anything for me to say. If devotion to one's country amounts to a sin, I admit I have committed that

sin. If it is meritorious, I humbly claim the merit thereof. I fully and confidently believe that if there be any other Court of justice beyond the one founded by the mortals, my act will not be taken as unjust. If after death there be no such place to reach or to go to, there is nothing to be said. I have resorted to the action I did purely for the benefit of the humanity. I do say that my shots were fired at the person whose policy and action had brought rack and ruin and destruction to lacs of Hindus.

' "May the country properly known as *Hindustan* be again united and be one, and may the people be taught to discard the defeatist mentality leading them to submit to the aggressors. This is my last wish and prayer to the Almighty.

' "My confidence about the moral side of my action has not been shaken even by the criticism levelled against it on all sides. I have no doubt honest writers of history will weigh my act and find the true value thereof on some day in future."

'Godse had, while talking to Apte and Karkare, claimed a measure of competence in the arts of writing and public speaking. He made full use of his talents during the trial and at the hearing of the appeal. Before us, he reiterated the arguments he had advanced before the trial judge and supplemented them with some fresh points which he had not thought of before. His main theme, however, was the nature of a righteous man's duty, his *dharma* as laid down in the Hindu scriptures. He made moving references to historical events and delivered an impassioned appeal to Hindus to hold and preserve their motherland and fight for it with their very lives. He ended his peroration on a high note of emotion, reciting verses from *Bhagwadgita.*

'The audience was visibly and audibly moved. There was a deep silence when he ceased speaking. Many women were in tears and men were coughing and searching for their handkerchiefs. The silence was accentuated and made deeper by the sound of an occasional subdued sniff or a muffled cough. It seemed to me that I was taking part in some kind of melodrama or in a scene out of a Hollywood feature film. Once or twice I had interrupted Godse and pointed out the irrelevance of what he was saying, but my colleagues seemed inclined to hear him and the audience most certainly thought that Godse's performance was the only worthwhile part of the lengthy proceedings. A writer's curiosity in watching the interplay of impact and response made me abstain from being too

conscientious in the matter. Also I said to myself: "The man is going to die soon. He is past doing any harm. He should be allowed to let off steam for the last time."

'I have, however, no doubt that had the audience of that day been constituted into a jury and entrusted with the task of deciding Godse's appeal, they would have brought in a verdict of "not guilty" by an overwhelming majority.'

Nathuram had cleverly exploited the benevolence displayed by the judges to once again propound his philosophy of hate and intolerance. This self-anointed patriot refused to acknowledge that the non-Hindus who had, for centuries, lived in India were also a part of the Indian nation and to carry on a campaign of hate against them was tantamount to treason. But Nathuram was a fanatic and a bigot and did not posses the capability of understanding any other viewpoint which digressed from his belief. He used the opportunity given by the appeal in the high court to once again preach his doctrine of hate. That his statement was a cleverly engineered compilation of lies and half-truths merged with highly exaggerated accounts of real incidents, made it into a very volatile diatribe against a person who was not alive to defend himself. But when one studies the history of Gandhi's last four years, one can immediately see through Godse's lies.

Godse's statement lasted till 11 May; after this Bannerjee continued his arguments, and Kistayya's counsel Avasthi concluded his arguments on 24 May. On the 25th, Daftary argued the prosecution's case, followed by Dange's argument. Finally, after the replies given by Bannerjee, the hearing of the appeal came to an end on 6 June.

Since the rift between the presiding judges had failed to heal, it was impossible to arrive at a unanimous judgement. Justice Achchruram delivered his judgement separately from Justice A.N. Bhandari and Justice G.D. Khosla. Parchure was acquitted because the high court justices refused to accept his confessional statement as a voluntary statement. Kistayya was acquitted since the justices believed that he merely acted as Badge's servant and so could not be held guilty as an accomplice. This had been recommended even by Judge Atmacharan, although he had recommended a lighter sentence. The high court justices recommended that the government show leniency towards Gopal Godse due to his youth. The sentences of Nathuram V. Godse, Narayan D. Apte and Vishnu R. Karkare and Madanlal K. Pahwa were upheld. The judgement was delivered on 21 June 1949.

Although the high court was only hearing an appeal against the ruling of the special court, Justice Achchruram took it upon himself to embellish the tarnished image of the investigating police and absolved them of all wrong-doings and ruled that the critical comments made by Judge Atmacharan were not called for. While on the one hand, Achchruram and Bhandari absolved the police of all wrong-doings and praised them for performing beyond the call of duty, in the case of Dr. Parchure, Achchruram compared them to demons from hell and criticised them for using draconian methods to terrify Parchure into signing a confession. In the same case the judge awarded the police a certificate of merit and condemned them as Nazis. The justices refused to accept Parchure's confession as being voluntary and acquitted him, ignoring the fact that without his help Nathuram Godse and Narayan Apte would not have been able to acquire a gun from Gwalior. If Parchure was not guilty of helping in acquiring the gun, who was?

The 315-page long judgement of Justice A.N. Bhandari and Justice G.D. Khosla was read out by Justice Bhandari.

APPEAL TO THE PRIVY COUNCIL

The accused Nathuram Godse, Narayan Apte, Vishnu Karkare, Gopal Godse and Madanlal Pahwa appealed to the Privy Council against the judgement of the Punjab high court. The appeal was made under the 'Paupers Act', instituted to provide facilities to those who could not spend money to avail of the justice system. This band of 'patriots' chose to appeal to the colonial justice system against the decision of their nation's courts. John Mega appeared for the accused. The main arguments of the appeal were:

(1) The judicial pardon granted to the approver was given illegally and improperly. Thus all the witnesses corroborating the testimony of the approver must be termed illegal and rejected.
(2) According to the law the charge of conspiracy was unsustainable. Various charges were clubbed together which went against the tenets of criminal law. Many testimonies were recorded which were in violation of the Indian Witness Act.
(3) The courts in India had not followed proper procedures of establishing guilt in a criminal matter.
(4) The conspiracy charge against Madanlal was unsustainable, since he was held not guilty in another charge related to the conspiracy.

The Judicial Committee of the Privy Council refused to hear the appeal and returned it on 12 October.

APPEAL TO THE GOVERNOR GENERAL

After the Privy Council rejected the appeal, on 26 October 1949, Special Judge S.S. Dulaar of Delhi issued a death warrant for Nathuram V. Godse and Narayan D. Apte on 26 October. The execution was set for the 15 November 1949, at the Ambala Jail.

Nathuram Godse's parents appealed for mercy for their son to the governor general as did Narayan Apte and his wife. At 11.30 am on 7 November the governor general's office issued a one-line press statement, which said that 'the Governor General has declined to intervene in the matter.' The fates of Nathuram V. Godse and Narayan D. Apte were sealed. They would now be 'hanged by their necks till dead' as sentenced.

EXECUTION

Justice G.D. Khosla has described an eyewitness account of the execution of Nathuram Godse and Narayan Apte. I have reproduced his description of the execution, below:

'The final chapter of this sad story takes us to the Central Gaol, Ambala, where Nathuram Godse and Apte were executed on the morning of November 15, 1949. After the conclusion of the trial they had been sent there to await the decision of the appeal preferred by them. Apte began to write a treatise on some aspects of Indian philosophy which he completed a day or two before his execution. Godse contented himself with reading a number of books. The two condemned prisoners were led out of their cells with their hands pinioned behind them. Godse walked in front. His step occasionally faltered. His demeanour and general appearance evidenced a state of nervousness and fear. He tried to fight against it and keep up a bold exterior by shouting every few seconds the slogan *"Akhand Bharat"* (undivided India). But his voice had a slight croak in it, and the vigour with which he had argued his case at the trial and in the High Court seemed to have been all but expended. The desperate cry was taken up by Apte, who shouted *"Amar rahe"* (may live eternally). His loud and firm tone made an uncanny contrast to Godse's, at times, almost feeble utterance.

'The Superintendent of the gaol and the District Magistrate of Ambala who had come to certify the due execution of the High Court's order observed that, unlike Godse, Apte was completely self-possessed and displayed not the slightest sign of nervousness. He walked with a firm step with his shoulders thrown back and his head held high. Taller than Godse by several inches, he appeared to dominate over him. There was, on his face, a look not so much of defiance and justification of what he had done, as of an inner sense of fulfilment, of looking forward to a rightful end to the proceedings which had occasioned so much sound and fury. It was said afterwards that Godse had, during his last days in gaol, repented of his deed and declared that were he to be given another chance he would spend the rest of his life in the promotion of peace and the service of his country. Apte, on the other hand, maintained an unrelenting attitude. Till the very end he refused to admit his guilt, nor did he plead his innocence in the cringing tones of a beaten adversary. The study of *Bhagvadgita* and his own experiment in writing a treatise on philosophy may have taught him the futility of protest or prayer, or it may be his naturally stoic temperament, but he walked to his doom with the self-assurance and confidence of a man who is about to receive no more and no less than the expected and deserved reward for doing his duty.

'A single gallows had been prepared for the execution of both. Two ropes, each with a noose, hung from the high crossbar in parallel lines. Godse and Apte were made to stand side by side, the black cloth bags were drawn over their heads and tied at the necks. After adjusting the nooses, the executioner stepped off the platform and pulled the lever to release the trap doors under the feet of the condemned.

'Apte died almost at once and his still body swung in a slow oscillating movement, but Godse, though unconscious and unfeeling, continued to wriggle and display signs of life in the shivering of his legs and the convulsing of his body for fifteen minutes.

'The dead bodies were cremated inside the gaol, the ground where the pyres had been erected was ploughed up and the earth and ashes taken to the Ghaggar River and secretly submerged at a secluded spot'.

Thus what begun as a tragedy ended in a tragedy, with the wasting of two young lives. What happened to Nathuram Godse and Narayan Apte would not have met with the approval of their victim. During the trial, Gandhi's second son Manilal Gandhi, appealed to the Prime Minister Pandit

Nehru to forgive the accused. Ramdas Gandhi, his younger brother, also wrote seeking forgiveness.

The primeval practice of avenging a life for a life was enforced, disguised as justice.

Gopal Godse, Vishnu Karkare and Madanlal Pahwa were released on 12 October 1964 after serving their fourteen-year sentences. Their release was celebrated by the Hindu Mahasabha in Poona. An invitation was sent out by M.G. Ghaisas, which read: 'Shree Gajanan Prasanna. Saprem Namaskar, With Respect of Love—To rejoice the release from jail of Shri Gopalrao Godse—The brother of Deshbhakt the Late Shri Nathuram V. Godse, Shri Vishnupant Karkare and Shri Madanlal Pahwa, we (their friends) are going to perform Shri Satya Vinayak Puja and congratulate them by inviting them here: You are therefore requested to remain present for this ceremony. Yours, M.G. Ghaisas. Time: Thursday 12-11-1964, 5.30 p.m. to 7.30 p.m. Place: Udyan Mangal Karyalaya, 61, Shaniwar Peth, Poona-2.' Ghaisas was arrested for organising the function. In his affidavit filed with the Bombay high court, Ghaisas said that about fifty invitations were sent about 125 to 200 persons attended the reception for the homecoming 'heroes'.

Vishnu Karkare went back to Ahmednagar after his release where he spent the rest of his days as a hotelier and patron of the performing arts. He died on 4 April 1974, his wife died in 2003. The Deccan Guest House is run by his adopted daughter in Ahmednagar.

Madanlal Pahwa lived in Mumbai and ran a small business as a dealer in cotton and paper waste, supplying to the Paper and Board Mills. Anytime he found someone who would buy him a few drinks and food, Madanlal would narrate his colourful exploits in Gwalior and his role in the murder of Gandhi. He died in the year 2001, and is survived by his wife.

Badge was given a room in the campus of the police commissioner's office in Mumbai where he lived under protection till his death. Badge continued making chain mail vests and tiger claws for his patrons. What happened to Badge, his wife and children is not known.

Dattatreya Parchure, after his acquittal, returned to his medical practice in Gwalior. He died in the Eighties after suffering from Parkinson's disease. After his acquittal he denied having been involved in the conspiracy till his death. The Parchure Vada still stands in Gwalior.

Shankar Kistayya disappeared into the obscurity of the impoverished Indian masses after his acquittal. Nothing is known about his life after he

was acquitted by the high court in 1949.

Gopal Godse, Nathuram's hero-worshipping younger brother, was the last surviving member of the gang of murderers, and lived in Pune with his family. After his release from prison, he was once again imprisoned in the mid-Sixties. After languishing in obscurity during the '70s, in the '80s and '90s, Gopal become a mascot of the Hindu Right wing parties of the Sangh Parivar. He enjoyed a brief innings under the limelight. Gopal died of old age on 26 November 2005. Gopal Godse is survived by his wife Sindhutai and their daughters and grand-children, who proudly uphold the legacy of Nathuram Godse.

Nothing is known about Manorama Salvi, Narayan Apte's lover, or whether she delivered his child. If she did, what happened to it? Was the unfortunate Manorama able to survive the ignominy of being an unwed mother? Narayan Apte, as was his wont, had left behind a lot of loose ends in his personal life too. The Apte family has adopted anonymity.

V.D. Savarkar, the Hindu Mahasabha ideologue, father of fanatical Hinduism and definitely the inspiration for Gandhi's murder was acquitted because the prosecution did not vigorously pursue the case against him. Acquitting him in the case was also a political necessity. Patel had admitted that the government had, 'annoyed the Muslims, [and] we could not afford to anger the Hindus too.' If Savarkar had been found guilty and sentenced, it would have caused a massive Hindu extremist reaction, which the Congress was scared of facing. The investigating officer Nagarvala refused to accept that Savarkar was not involved in the murder conspiracy. The then police commissioner Bharucha, after meeting Savarkar, told the Home minister of Bombay, Morarji Desai, that 'Savarkar behaved very guiltily' in the aftermath of Gandhi's murder. Limaye, who had been detained earlier, told the police that if Nathuram Godse was the murderer, Apte must have been with him and that they must have consulted Savarkar. V. D. Savarkar continued to propagate his version of fanatic Hinduism till his death on 27 February 1966.

The Berretta 9 mm automatic pistol No. 606824 remains locked up in a sealed cupboard in the premises of the Gandhi National Museum, Raj Ghat, New Delhi—its career of dispensing death over. From its birth in Italy it had made a long journey, through Europe, Africa and Asia to finally lie rotting in a cupboard. In its short working life it participated in one of the most gruesome wars of the last century—the Second World War—

passed through many hands, and finally landed in the hands of a fanatical murderer on 28 January. Three bullets emerged through the short barrel and hit Gandhi at point blank range. After this the gun was fired by forensic experts and then packed, sealed and mothballed.

14

THE KAPUR COMMISSION

'Conspiracy is a black, vicious enigma, elusive and deluding like ashadowy spectre, easy to assert, difficult to prove.'

— TAPAN GHOSH, Gandhi murder trial

[To ensure authenticity, and to maintain the sanctity of the Kapur Commission,the language of the extracts has not been corrected.]

On 12 October 1964, Gopal V. Godse, Vishnu R. Karkare and Madanlal K. Pahwa were released from prison after serving life sentences for their role in the murder of Gandhi. When Gopal Godse and Vishnu Karkare reached Poona their friends decided to welcome them as heroes. A function was planned to felicitate them and to commemorate their deed.

A satya vinayak puja was arranged at Udyan Karyalaya on 12 November 1964, and the invitations were sent out in the name of M.G. Ghaisas. The following is an English translation of the Marathi invitation: 'Shri Gajanan Prasanna. In respect of love—To rejoice the release from jail of Shri Gopalrao Godse—the brother of Deshbhakt, Patriot, the late Shri Nathuram V. Godse, Shri Vishnupant Karkare and Shri Madanlal Pahwa, we their friends are going to perform Shri Satya Vinayak Puja and congratulate them by inviting them here: You are therefore requested to remain present for this ceremony along with your friends. Yours, M.G. Ghaisas. Time: Thursday, 12-11-1964 5.30 p.m. to 7.30 p.m., Place: Udayan Karyalaya, 61 Shaniwar Peth, Poona-2.'

In an affidavit filed in the Bombay high court M.G. Ghaisas, whowas detained as a consequence of the function said that about fifty invitations were sent out but intelligence reports said that between 125 to 200 persons attended the function.

G.V Ketkar, grandson of Lokmanya Tilak, former editor of Kesari and Tarun Bharat, and Hindu Mahasabha ideologue, presided over the function. While speaking after the puja, after Gopal Godse and Karkare had narrated their prison experiences, Ketkar revealed that he was aware of the plan to

kill Gandhi much in advance and that he had been told about this by Nathuram Godse himself. He said Godse had indicated his intention at a public meeting held at Shivaji Mandir when he referred to Gandhi's oft repeated wish to live to the age of 125 years— Nathuram is reported to have said in Marathi—*'Pan tumhala jagu denaar kon?* Who will allow you to live till then?' Ketkar claimed that he along with another veteran Balukaka Kenitkar heard this part of Nathuram's speech and were perturbed by it. Ketkar assured Balukaka that he would confront Nathya and find out if he implied that Gandhi would be killed and if that is what he meant, he would dissuade him from proceeding with any such plans. In the meantime, he suggested that Balukaka should write to the government and inform them. Gopal Godse interrupted Ketkar and asked him to be careful of what he was saying, but there was no holding back Ketkar. He said he had confronted Nathuram and asked him whether what he meant was that Gandhi should be killed. Nathuram had said yes and had said that he would ensure that Gandhi did not cause any more trouble. Ketkar also said that he was acquainted with Badge and after the bomb attack on Gandhi on 20 January 1948, he had met Badge who told him that Apte, Godse, Karkare and Badge were involved in the attack; that the plan was to kill Gandhi and that Godse and Apte were on their way back to kill him. He said that they were very determined to achieve success.

This meeting and Ketkar's speech were extensively reported in the Bombay papers. The correspondent of the Indian Express in Poona, interviewed Ketkar and filed a detailed story which was published. It was reported that people garlanded Nathuram's photograph. A Gita and a Bhagva Zenda, the Hindu Mahasabha's saffron pendant, were displayed, which were claimed to have been held by Nathuram when he ascended the gallows, and a dhoti allegedly worn by hiat the hanging was displayed too. Ketkar, it is said, took off his dhoti and put on the one allegedly worn by Nathuram as a mark of respect.

The bragging, on Ketkar's part, got him and Gopal Godse into a lot of trouble. Ketkar, Ghaisas and Gopal Godse were arrested and imprisoned. Gopal Godse was imprisoned twice for the same offence. There were debates in the Maharashtra Assembly and in Parliament. As a result, the government constituted a commission of inquiry on 22 March 1965, headed by Gopal Sawrup Pathak, M.P On 21 November 1966 on the appointment of Pathak as a minister, retired Justice J.L. Kapur of the Supreme Court of

India, was appointed in his place. The terms of reference of the commission were:

(a) whether any persons, in particular Shri Gajanan Viswanath Ketkar, of Poona, had prior information of the conspiracy of Nathuram Vinayak Godse and others to assassinate Mahatma Gandhi;

(b) whether any of such persons had communicated the said information to any authorities of the Government of Bombay or of the Government of India; in particular whether the aforesaid Shri Ketkar had conveyed the said information to the late Bal Gangadhar Kher, the then Premier of Bombay, through the late Balukaka Kanitkar;

(c) If so, what action was taken by the Government of Bombay, in Particular by the late Bal Gangadhar Kher, and the Government of India on the basis of the said information.

This notification was amended by notification No. 31/28/68- Pll.I(A) dated 28 October 1968, making clause (c) to read as follows:

(c) if so, what action was taken by the Government of Bombay, in particular by the late Bal Gangadhar Kher, and the Government of India and by the officers of the said Governments on the basis of the said information.

To assist the commission G.N. Vaidya was engaged by the government of Maharashtra and K.S. Chawla, barrister-at-law was appointed for the Government of India. The latter replaced their counsel and engaged B.B. Lai, advocate, who appeared before the commission from 10 February 1968. As G.N. Vaidya was raised to the bench, R.B. Kotwal took his place. The commission examined 101 witnesses and 407 documents were produced by the two governments and witnesses who appeared before the commission. The examination of the witnesses took 162 days at various places where the commission had to sit for the convenience of the witnesses —Bombay, New Delhi, Dharwar, Nagpur, Poona, Baroda and Chandigarh.

The report is in six volumes. The evidence recorded by the commission is contained in five volumes and the documents produced before it are contained in another five volumes. Besides this, the record of the proceedings before Judge Atmacharan had also to be perused as some of the statements were made part of the evidence before the commission. The case diaries of the Delhi Police's investigation into the bomb case and the murder case and the crime report of the Bombay police as also some of the files

produced by the Government of India, director, Intelligence Bureau and by the inspector-general of police, Delhi, have been made part of the records.

In Chapter II of the commission's report headed Inquiries—Delhi. Para 3.3, states: After the funeral, a meeting was called at a very short notice at the house of the Home Minister in the evening of 31 January, 1948. According to R.N. Bannerjee's statement before Pathak as witness No. 17, the following were present: Prime Minister Nehru, Deputy Prime Minister Sardar Patel, B.G. Kher, Premier of Bombay, Rajagopalachari, Governor of West Bengal and Bannerjee and Sanjevi. D.W. Mehra's note Ex. 10-A dated 1 February 1948, besides these names gave the names of Rajkumari Amrit Kaur, Morarji Desai, the Chief Commissioner and himself.

Sanjevi read out the confessional statement of Madanlal Pahwa and said that he had sent a copy to Bombay with two police officials who were flown from Delhi to Bombay on 21 January 1948. Sanjevi complained that the two police officers returned after two or three days and complained that the Bombay Police had asked them to return to Delhi.

This was what the director of Intelligence, told the prime minister and Home minister of the Union of India in the presence of the then premier and the Home minister of the province of Bombay. This was a serious allegation by a senior policeman against a subordinate police officer. The police officer at the receiving end was Jamsheyd 'Jimmy' Nagarvala, assistant commissioner of police and head of CID, Bombay. Nagarvala in his testimony before the commission denied that Madanlal's confession was given to him. At the time when the commission began proceedings Sanjevi had died and Nagarvala and U.H. Rana, another senior police officer from Poona, appeared before the commission to defend their actions.

At the meeting it was revealed that Sanjevi gave no information regarding the investigation post 20 January to either the deputy commissioner of Delhi or to Bannerjee. Bannerjee commented: 'I will put it to gross incompetency and lethargy on part of Sanjevi that he did not care to inform either me or to remind the Bombay Police as to what action they had been taking.'

Deposing before the commission Bannerjee stated that, besides the gentlemen he had named before, Shankarrao Deo was also present at the meeting. He said, 'This was the first intimation that we, from Pandit Nehru downwards got that there was a confessional statement and certain information was contained in it which if properly utilised would have

resulted in the arrest of those persons who were participants in the murder of Mahatma Gandhi. In the Statement, the particulars and haunts of some of the persons who were subsequently accused and convicted of murder were given. If the police had been vigilant, it should have been possible for them to have arrested those persons.'

Bannerjee continued, 'None of us knew about the particulars of this conspiracy. Sanjevi never gave us any information about it. When he was asked why he had not done so he just said, "he was sorry he just did not do it". I put this due to the incompetency and lethargy of Sanjevi not to have informed or to have ordered the Bombay police to send their men here or to have reminded the Bombay police in regard to the information which was sent to them.'

This is a very surprising statement by a senior official. The dispute between Sardar Patel, the Union Home minister and Jawaharlal Nehru the prime minister had arisen because Nehru used to constantly interfere in the affairs of the Home ministry. Patel complained about this to Gandhi too. Surprisingly after the bomb attack on 20 January, till 30 January, the Prime Minister's Office did not inquire about the progress in the investigation or try to find out what had been learnt from the arrested man even once. It seems that all of a sudden the PMO had decided to keep its hands off the Home ministry. This too in a matter concerning an attempt on the life of Gandhi.

Writing about the inquiry carried out by Nagarvala in Bombay the commission states, in Para 2.34: 'The scene now shifts to Bombay where on an information given by Prof. Jain investigation was carried on between 21st January and 30 January 1948. This is an unfortunate chapter of opportunities missed, errors committed and of assuming exaggerated notions about one's self. After the explosion of the bomb Prof. Jain of the Ruia College got a little unnerved because Madanlal had disclosed to him before going to Delhi that he and his companions were going to murder Mahatma Gandhi which he had considered to be a mere boast though infact he did not take the matter so lightly. But he was hesitant, dithering and failed to give this information to any authority'.

Para 2.36 states what Nagarvala did on being given the information Prof. Jain had given to Morarji Desai: 'Nagarvala promptly got into touch with his contacts and his informers, instructing them to locate Karkare and his associates. He learnt from Ahmednagar that Karkare was not there'.

Para 2.37 states: 'It is not necessary at this stage to give a resume of what Nagarvala did or what steps he took. But briefly stated, he learnt that one Balraj Mehta and Avtar Singh of the Sher-e-Punjab Hotel were in the conspiracy. Information from Ahmednagar was that Badge of Poona, a dealer in illicit arms, was a close associate of Karkare; and his contacts informed him that Savarkar was the real instigator of the conspiracy and his illness was feigned. Savarkar's house was kept under watch. Nagarvala's informants told him that there were many other conspirators, about 20 Punjabis and Maharashtrians, with a large following. Efforts were made to find out the haunts of those persons. From 22nd onwards the Police tried to find out the whereabouts of Karkare and Badge, particularly in Hindu Mahasabha Bhavan at Parel. Watch was kept on the Arya Pathik Ashram where two suspicious looking Punjabis were staying. They were suspected to be associates of Balraj Mehta'.

Para 2.38 states: 'Rana the D.I.G. (CID) arrived in Bombay on the 27th and stayed with Nagarvala who told him of the steps he had taken up to then and both of them had a long distance talk with Sanjevi, the D.I.B. and then gave him full details of what had been done uptill then. Rana had taken with him the statement of Madanlal, which he showed to Nagarvala who read one or two pages, but Rana took it back from him saying it was too long and promised to send him a copy from Poona, which he never did'.

Para 2.39 states: 'After the murder when Nagarvala learnt the name of Nathuram Godse, he arrested the various suspects and interrogated Savarkar's Secretary Damle and his Bodyguard Kasar. Limaye who had been detained earlier told the police that if Nathuram Godse was the murderer, Apte must have been with him and that they must have consulted Savarkar'.

Bannerjee was cross-examined by Vaidya, counsel for government of Mahrashtra, Bannerjee said that when they came back from the cremation a meeting was called at a very short notice where everybody was in a mournful mood, and 'the Sardar asked Sanjevi what had happened and he came out with the allegation that the names had been sent to Bombay police and nothing was done there. It was that part which was emphasised by Sanjevi there'. Bannrjee added that Sardar Patel was in great anguish and so were 'we all but I told Sardar Patel that he could not have done anything more than to ask the police to be vigilant'.

In Para 3.9 Bannerjee said that after 30 January, the government felt rather guilty about not having taken preventive or punitive action against the RSS; an informal decision at the post funeral meeting was that the RSS should be banned immediately and secret instructions were passed to provincial governments the same night, but somehow or the other the news of the ban leaked out and the leaders of the movement went underground.

This was an indication how far up in the government and administration Hindu extremists had infiltrated, that a decision taken in a closed doors meeting attended by some very senior ministers and senior Home department and police officials also leaked out.

Questions were raised in the Bombay provincial council. Members grilled the Home minister Morarji Desai. A member asked the Home minister whether the police had lost track of Nathuram Godse. The minister replied saying that after the arrest of Madanlal a copy of his statement was taken to the Bombay CID. The arrest was not made because it was considered inexpedient as by so doing the other conspirators would have gone underground. Therefore after consultations between the Bombay and the Delhi police, it was decided that for the moment no arrest should be made. The Bombay police was on the track of the conspirators but they were not all in Bombay.

Asked if photographs could have been procured of those persons, the reply was that all of them were not at one place. However, photographs of Narayan Apte, Nathuram Godse and Vishnu Karkare were on police records then.

These were questions and answers given in a provincial assembly. They clearly show that Desai was lying to the House. The police had claimed that they were in the dark about the identities of the conspirators till after the murder, so when the Home minister said that the police were on track of the conspirators, to whom was he referring?

Nagarvala vehemently denied that the two police officers showed him Madanlal's statement. He claimed that they only showed him a chit bearing some words scribbled in Urdu. He also denied that Rana had given him the report. Nagarvala learnt Nathuram Godse's identity for the first time after the murder. But the Home minister was claiming that the police was on the track of the conspirators. What did he base his inference on?

When Judge Atamacharan passed adverse remarks against the police in his judgement the Government of India called for an explanation from the

condemned police officials. The replies show the course of investigation of the bomb case both in Delhi and in Bombay and what the police had to say in reply to the learned judge's adverse comments. The commission first dealt with Sanjevi's explanation and then with what Nagarvala had to say as to the investigation process in Bombay.

The Kapur Commission examined many confidential records to investigate and find out which police department had slipped up in exposing the conspirators in time to prevent the murder. Looking at its findings a shocking scenario emerges. All the departments involved in the investigation after the bomb attack on 20th committed blunders and showed a distinct lack of efficiency and intelligence in investigations: their approach was lackadaisical. All the four concerned departments were guilty of criminal negligence and unbelievable blunders; the three senior officials handling the investigation were the most guilty: the actions of Sanjevi, who had come to Delhi after building a very formidable reputation in Madras, Nagarvala who was the blue-eyed boy of the Home minister of Bombay, and U.H. Rana a senior officer of the Poona CID. The findings of the Kapur Commission paint a very sorry picture of the police and especially these three officers.

In his note to the Union Home ministry, Sanjevi claimed that the Delhi Police had done all that they could have and blamed the Bombay Police for all that had gone wrong. Para 3.34 states: 'Sanjevi himself visited the scene of occurrence and made inquiries from the Police Superintendent of New Delhi. The next day he ordered 2 Police officers to fly to Bombay "to contact Nagarvala, Deputy Commissioner of Police Bombay, and Rao Saheb Gurtu, A.D.I.G. (C.I.D.) Poona". They took with them Ex. 5-A which officers of the Law Commission, after some effort, found with the original case diary of the bomb case lying somewhere in the Delhi District Record Room. (Exhibit 5-A is the translation of the first confession made by Madanlal Pahwa on the night between the 20th and 21st January, 1948)'.

The commission's report in Para 3.35 says: 'The Delhi Police continued with its investigation and ordered its C.I.D. to be on the look out for the conspirators whose descriptions were given in a document Ex. 244 which is a bundle of corrections, contradictory descriptions and a mere look at it will show its worthlessness'.

Para 3.37 states: 'The note then proceeds to state the steps taken at Bombay. It mentions that the two officers with all the information furnished

to the Delhi Police by Madanlal flew to Bombay and stayed at the Universal National Restaurant and met Nagarvala the next day and gave him all the information that they possessed. Nagarvala told them that he also had received information about the case and had deputed special men to locate the wanted persons. He warned them that nobody should know about their presence in Bombay and so they should not stay in the city because if the suspected persons came to know of their arrival the whole plan of their arrest would be "ruined". He ordered the police officers to go about in Mufti. When the two officers met Nagarvala at his office, they claim that they gave him the facts of the case and also showed him the note on Madanlal's statement from which Nagarvala took extracts, Nagarvala wehemently denies this. "The Delhi Police Officers told him that one of the accused was the editor of the *'Agranee'* or the *'Hindu Rashtra'* newspaper. The description of all the accused persons as disclosed by Madanlal, was communicated to him". The Police Officers again met Nagarvala and he told them, "his information was that there were more persons in this conspiracy. He said that there were about 20 persons. He added that he had made special arrangements for Karkare in Bombay, Poona and Ahmednagar. About the other persons connected with this case, he said that he had located three or four". He also disclosed to them the scheme to locate all the offenders and to carry out their simultaneous arrests, his reason being that if only a few were arrested, the others would go underground. He also told them that he would accompany them to Ahmednagar as soon as he got the necessary information and asked one of his inspectors to arrange their lodging so that- nobody should know about their presence. He also told them not to give their Delhi address at the hotel, and that he would consult his Home Minister and will take further action against the accused. The same day again they went to the Bombay C.I.D. Office where they were told by an Inspector that their presence was no longer required. The Inspector also told them that Bombay Officers had been deputed to arrest the other suspects who had not been located till then. In regard to Karkare and the editor of *"Agranee"* or *"Hindu Rashtra"*, he told them that an Inspector from Ahmednagar was arriving the next day at Bombay, and they would then arrange for their arrest'.

Para 3.39 states: 'The next day, i.e. 23 January, 1948. so the note says, the Delhi Police officers went to the Deputy Commissioner's office but could not meet him. A C.I.D. Inspector told them that the inspector from

Ahmednagar had arrived and he had been told to search for the editor of *"Agranee"* or the *"Hindu Rashtra"*, which again appears to be a wrong statement or misunderstanding by the Delhi Officers. Deputy Superintendent Jaswant Singh then asked for information regarding Karkare and his associates and the Bombay C.I.D. Inspector gave him the following name as being Karkare's associates:

i) Badge of Poona.
ii) Avtar Singh, Punjabi Sikh of Amritsar.
iii) Talwar of Karachi, then in Bombay.
iv) Balraj Mehta of Lahore, then in Shivaji Park in Bombay.'

Para 3.40: 'Nagarvala who arrived at about 12.30 p.m. told the Police Officers that he was doing his best to arrest the wan ted persons and that the presence of the Delhi Police was not required at Bombay and he ordered them to return. On this Jaswant Singh, Deputy Superintendent of Police, Delhi, drew Nagarvala's attention to Madanlal's statement regarding Karkare and the editor of "Agranee" or the "Hindu Rashtra" and asked that as soon as they were arrested. They should be sent to Delhi. The Delhi Officers handed over to the C.I.D. Inspector a brief note on the case, with the names and the description of the accused wanted, as far as knewn then'. Of the handing over of this note there is no evidence except this cryptic No questions were put to Nagarvala although he was questioned at length and was examined for a good few days. In a subsequent affidavit in reply to the commission's questionnaire, Nagarvala denied any such document having been given to his officers.

The Delhi officers returned to Delhi and complained to Sanjevi about the treatment they received in Bombay. V. Shankar, secretary to the Union Home minister in a note expressed surprise that the Delhi officers did not stay back in Bombay to assist in the investigation there. In his statement before the commission Rai Sahib Rikhikesh, superintendent of police, CID, stated that these officers stayed in Bombay too long and should have returned earlier.

Para 3.42: 'The Deputy Inspector General of Police, (C.I.D.) Poona, U.H. Rana was in Delhi, he was summoned by Sanjevi in the presence of the Superintendent of C.I.D., Delhi. The D.I.G. was given the report of the two Delhi Police Officers and his attention was drawn to the importance of locating the absconding accused. A copy of the detailed statement of Madanlal was given to him. Both he and Sanjevi went over it, and the

D.I.G. was asked to fly to Bombay but he did not, as he could not. (If he could not one should have thought that another officer could have been sent by air to deliver the statement to Nagarvala). He left by train via Allahabad and reached Bombay only on the 27th evening.'

Para 3.43 states: 'This acquiescence in this circuitous route is corroborative of Rana's statement that "no one expected the conspirators to strike so soon, certainly not Sanjevi." '

On 27th evening, most probably inspired by the knowledge of the lavish hospitality provided by Jimmy Nagarvala, Rana went straight to his house. Sanjevi describes the phone call he received from Rana and Nagarvala. 'On 27th evening Rana rang me up from Bombay and told me that he had seen Nagarvala, and that Nagarvala would give me an explanation for what had happened to the two Delhi Police Officers at Bombay. Nagarvala told me that he had good reason for not allowing the two Delhi Police Officers to move about freely in Bombay. He told me of the information that he and the Bombay Police had of a conspiracy to kidnap Mahatma Gandhi. He told me that it was a very big organisation with about 20 principal conspirators, each assisted by 20 persons and in possession of considerable quantities of firearms and other lethal weapons. I asked him about the absconding accused whose names or descriptions were given to the Delhi Police by Madanlal. Nagarvala told me that he would send a detailed note on the investigation made at Bombay City and elsewhere in the Province by air the next day.' (The report was lying on Sanjevi's desk on 31 January 1948, the day after Gandhi was murdered.)

This note does not state if Sanjevi asked if Nagarvala had been given the names and descriptions of the persons named by Madanlal. Nagarvala also does not make any reference to this beyond saying that he would send a progress report by air the next day. There is nothing to show that Sanjevi pressed Nagarvala to tell him if he had done anything to trace those who were named by Madanlal, neither did he show any anxiety about their arrest or even tried to find out who they were or whether they had been located at all. On the other hand, Patel's replies in the Constituent Assembly made on 6 February 1948, show that the Bombay and Delhi police were in accord on the steps taken and on the question of the proposal to make simultaneous arrests to prevent some of the accused going underground. Who was; lying to the Union Home minister?

Para 3.45 says: 'The note then goes on to say Nagarvala did not write to Sanjevi. On the 30th he sent a letter which reached Sanjevi on February 3, and a copy of that letter was received through an officer who came by air from Bombay on 1st February'.

Para 3.50 of the Commissions Report deals with Para 11 of Sanjevi's note-11. It is now definitely known that from the 23rd to the 28th January, Godse was in Bombay. He flew from the Bombay aerodrome to Delhi on the 28th morning. From 22nd to 28th January was a long enough period for the Bombay Police to find out who the editor of the *Agranee* or the *Hindu Rashtra* was. As long as the Delhi Police did not have full information in regard to the identity and correct description of this person, they could not possibly spot him when he arrived in Delhi. He had completely changed his clothes, and on 30th evening, was wearing a military khaki jacket, and went into the prayer grounds with the large crowds that congregated there. 'In these circumstances, the Delhi Police did all that was possible. In his observations the Judge has, unfortunately, not distinguished between the Delhi and the Bombay Police. He was not aware of the real position. He did not know that the Bombay Police had not taken all the action necessary on the information conveyed from Delhi. Even on the evidence that he had before him, his observations against the Delhi Police cannot be justified'.

If Sanjevi had shown the same zeal in saving the life of Gandhi as he did in defending the reputation of his department, history would have been different. The Kapur Commission's report states—'Sanjevi is unfortunately dead and this is the only record of what he did or did not do in regard to Mahatma Gandhi's life and safety'.

H.V.R. Iyengar, secretary of the ministry of Home Affairs, wrote in a note on receipt of the explanations he received from Sanjevi and Nagarvala: 'Secondly, while it is clear that Bombay Police took all possible steps to arrest Karkare and Badge, they do not appear to have taken any notice of Godse. Admittedly his name was not mentioned in Madanlal's statement but there was a description of him as the editor of the "Hindu Rashtra" or the "Agranee". According to D.I.B.'s (Sanjevi) report the investigating officers from Delhi took with them to Bombay on the 21st January a statement (Annexure V to D.I.B.'s report—Slip 'T') which mentioned the editor of this paper. Nagarvala says that these officers did not give him any information other than that they wanted Karkare. Here is a discrepancy which cannot be reconciled without further examination.

'I have put to the D.I.B. the view that as soon as it became clear that there was a conspiracy among certain Maharashtra Brahmins from Poona, Ahmednagar and the neighbourhood to commit assassination, plainclothesmen from that part of the Bombay Province should have been summoned to Delhi, on the chance that they might have been able to identify these persons if they came to Birla House. Sanjevi says that as the Bombay Police did not take the idea of conspiracy to assassinate very seriously, the responsibility was really theirs. Personally I do not accept this view and that there was a failure in Delhi to insist on this precaution. It may not have been successful in preventing the assassination, but it was certainly worth trying.

'I think the Bombay Police are to blame more seriously because they refused to take note of the idea of a conspiracy to assassinate seriously, although every rule of commonsense pointed in that direction'.

This was a very severe comment from one of the senior-most bureaucrats serving the Union government, indicting both the police departments severely.

The two letters of Nagarvala, dated 30th and 31st January, one on the day of the murder and the other a day after, make for interesting reading, they show how an obstinate mind refuses to acknowledge reality.

'The first letter shows that Madanlal's statement in the Press showing that "he had come from Bombay" led to the initiation of investigations in Bombay. In the course of preliminary investigations names of Balraj Mehta, Karkare, Talwar, Badge, Avtar Singh (Proprietor of the Sher-e-Punjab Hotel), Chavan and Somnath Kapoor transpired of whom Avtar Singh and Chavan were under detention. Balraj had been identified and a trail put on him. Karkare and Badge were the two Maharashtrian companions of Balraj and Somnath Kapoor who were both Punjabis, Badge had been seen in Ahmednagar three days earlier (This shows the accuracy of the investigation by Nagarvala and his subordinates. Badge was at that time hiding in Poona. During the trial Nagarvala had said that they were looking for Badge since the 24th but he was hiding in Poona.) i.e. on the 27th and arrangements had been made to bring informants from Ahmednagar to Bombay who knew both Karkare and Badge, the object being to get them (Badge and Karkare) identified and to arrest them. Karkare's rendezvous in Bombay was known to the police and if he came to Bombay he would be arrested but Talwar had not been identified and inquiries were going on.

'From investigation it appears that there were 21 Punjabis and Maharashtrians in the conspiracy and they had 20 workers under each one of them. The object of the gang was to drive out Muslims from the Indian Dominion. With that object they had collected arms and ' ammunition and it was also learnt that Col. Mohan Singh of the Indian National Army had organised the gang and he had the support of the Akali leader Master Tara Singh. But the information had not yet been corroborated. There was also a suggestion that one of the Sikh refugees had been sent by the gang to the Speaker of the Uttar Pradesh Assembly Shri Purshotamdas Tandon for further consultation as to their plan. The opinion amongst the members of the gang was that it was easy to win over the Delhi Police and their object was to kidnap Gandhiji. But the letter made it clear that this was only an information which have been collected but they had yet to see if it was correct. Nobody had been arrested but a fair amount of progress had been made in the investigation.

'The general policy which Nagarvala proposed to follow was (and Rana agreed with him) that they might arrest Karkare and Badge which was not likely to (a)rouse any suspicion because Karkare had been named by Madanlal and Badge was always with Karkare and they were known by the police to be good friends. Rana agreed with Nagarvala that arrest of others should wait till the Information collected by the Delhi Police, Poona Provincial C.I.D. and the Bombay City C.I.D. was pooled together. The Home Minister of Bombay and Rana had entrusted the case to him (Nagarvala) for the Province of Bombay and Nagarvala was hoping to produce concrete results.

'The letter of 31st January, said that Nagarvala had arrested Balraj Mehta, Somnath Kapoor, Kasar—the bodyguard of Savarkar—and Damle, his secretary. It had also transpired that Godse had seen Savarkar along with one Apte on the eve of their departure to Delhi. Kasar and Damle had not stated what conversation these two had with Savarkar during their 40 minutes interview but they had admitted that these two had access to the house of Savarkar without any restriction. If Madanlal was brought to Bombay, they would be able to "drag out Madanlal and get all facts and details out of him" '.

In the Kapur Commission's report a detailed analysis of Nagarvala's letter has been made and the discrepancies highlighted.

'That after the statement of Madanlal appeared in the Press about his being from Bombay, investigations were taken up. There is no mention of either the orders of Morarji Desai or of what Jain had told Desai.

'It does mention Madanlal's statement where in Karkare wasmentioned.

'It mentions that Karkare and Badge were two Maharashtrian companions of Balraj and Somnath Kapoor, and the former two were good friends.

'It then states that Badge was seen at Ahmednagar about 27thJanuary but he had left that place and that two informants had beencalled from Ahmednagar who would identify and help in the arrestof Karkare and Badge. Now if Badge belonged to Poona and Karkareto Ahmednagar, even if they were friends, one would have expectedthat informants would have been called from Poona also.

'The letter mentions that a large number of Punjabis and Maharashtrians being in the conspiracy which was being organised by Col. Mohan Singh of the I.N.A., this gentleman was examined by the Commission (Witness No. 86) and he denied any knowledge about this gang and it is difficult to imagine that Col. Mohan Singh would be a party to encouraging either the assassination or the kidnapping of Mahatma Gandhi and it would be still more astonishing if the then Speaker of the Uttar Pradesh Assembly, Shri Purshottamdas Tandon, could be persuaded to join the plan. Even if the objective was eviction of the Mohammedans, the Speaker was unlikely to give his blessings to any such action.

'Although the letter mentions that the plan was to arrest Karkare and Badge, there is no indication as to what tangible steps had been taken to carry out the plan.

'The most important omission is the non-mention of either the editor or the proprietor of the *"Agranee"* or the *"Hindu Rashtra"* because that seems to have been emphasised again and again in the note of Sanjevi. This would show that either these persons were never mentioned till then or Nagarvala was deliberately omitting them. The latter possibility appears likely in the circumstances.

'There is no indication in the note that in the telephonic talk with Nagarvala, Sanjevi mentioned either of these two persons. All he says in the note is, "I asked him about the absconding accused whose names or descriptions were given to the Delhi Police by Madanlal and Nagarvala promised to send a detailed note". One should have imagined that if the

editor of the newspaper had been mentioned, Sanjevi would have made pointed inquiries about the editor and/or the proprietor.

'Further there is nothing in this note that when Nagarvala mentioned the conspiracy to kidnap Mahatma Gandhi, Sanjevi ticked him off or told him that the very theory or idea was absurd.

'Commission has been unable to discover any reason why Nagarvala in his letter made the Press report of Madanlal's statement the basis of his investigation rather than the information or order given to him by Morarji Desai, the factum of which is not denied and was accepted by both the trial court as well as the High Court in the Conspiracy Case. Unfortunately, this matter was not put to Nagarvala before the Commission.

'The omission of references to names, descriptions, avocations or places of residence of Madanlal's co-conspirators has remained unexplained.

'The letter of the 30th by Nagarvala to Sanjevi was top secret and there could not have been any inherent danger in disclosing to Sanjevi the factum of information given by Morarji Desai or the order he passed'.

The correspondence between the Inspector-General of Police Bombay N.M. Kamte and the D.I.G., C.I.D., U.H. Rana describes the extent of bungling by Rana. In a letter written on 6 February 1948 to Rana, Kamte wrote that he had carefully read Madanlal's statement which showed that there was sufficient indication to make out that there was a plot to kill Gandhi by certain Poona men and he wanted information on two matters from Rana:

(1) What steps were taken by him to arrest them immediately; and
(2) What steps were taken to send men to Delhi to comb out Delhi and arrest them there.

Rana replied to this letter on 24th February 1948, mentioning the sequence of events and of the action taken by him. There is a very surprising claim by Rana, he says that: 'On 21st morning when two Delhi Police Officers met him and gave him the information they had up to then, he (Rana) told them at once that the gang must be followers of Dr. Savarkar and suggested that two officers be sent to Bombay to contact Nagarvala at Bombay and Rao Saheb Gurtu at Poona'. This claim does not hold water: in the investigation reports it is very clearly stated that Rana was brought into the picture by Sanjevi after the two officers sent by Sanjevi to Bombay returned to Delhi and complained about the non-cooperation of the Bombay Police and the obstinacy of Nagarvala. Rana further said that: 'By the time

the Delhi Policemen arrived in Bombay, the Bombay Police had already got some information about Karkare and some inquiries had been made' or as he put it, 'this information had already been worked out by the Bombay City Police. The Delhi Police officers went and stayed at the National Hotel which was in the vicinity of the Sher-e-Punjab Hotel whose proprietor, Avtar Singh had been detained by the Bombay City Police and whose name had transpired as one of the conspirators to kill Mahatma Gandhi'.

Instead of giving an explanation about his actions, as desired by Kamte, Rana gave a detailed description of the actions of the Bombay Police. About his own actions Rana says that he left for Poona on the 28th and asked the D.S.P. Poona to spare his L.I.B. Inspector Angarkar. On the 29th, he was informed that Angarkar was down with fever. Rana then sent a wireless message to recall Dy. S.P Deulkar, who was in Colaba district at the time. Deulkar returned on the night of the 30th. Immediately four officers were sent by plane as there was a lurking suspicion that these men would attack other ministers in the Central Cabinet. From the facts which were revealed later the culprits had slipped out on the morning of the 28th from Bombay.

Rana's reply to Kamte smacks of obfuscation and excuses and an attempt to take credit for actions initiated and executed by others. Kamte caught him out, in a reply dated 6 March 1948. In this letter Kamte restated the two questions he had asked to which, according to him, Rana's reply appeared appears not have answered satisfactorily. He then asked Rana to give his remarks on certain specific matters which were:

(1) What did the two police officers tell him (Rana) on the 21st which was not quite clear from the letter?
(2) Why did he not ask his own CID to make inquiries because two officers from Delhi were not going to make much headway inBombay or Poona?
(3) The object of contacting Nagarvala by these police officers was not stated.
(4) The statement of Madanlal was given to him (Rana) on the 25th. What action did he take till the evening of 27th? (What actions would he have taken? He was on his leisurely sojourn to Bombay via Allahabad.)
(5) The information that Nagarvala learnt through a source about associates of Madanlal was not correct because all he had come to know was Karkare's name and the other information was very vague. But in Madanlal's statement, pp 7,16,18 etc., the description given therein

showed that the other accused were Godse, Apte, Badge, etc. Why was there no attempt made to arrest them from the 25th evening onwards?

(6) Although on 27th he (Rana) had telephoned the DIB about taking precautions for Gandhi's protection, he could very well have deputed his own men to Delhi because Madanlal's statement showed that there was a plan to kill Gandhi by men from the Bombay province.

(7) Kamte could not subscribe to the proposition that the Bombay police had done all that they could in the matter of precaution. The best thing which Rana could have done on 29th was to havesent for Rao Saheb Gurtu and get that officer on the move.

(8) Sending men by air to Delhi was done at Kamte's suggestion and not Rana for which Rana could not take any credit.

This letter makes some telling points of criticism—(a) why Rana did not send his own CID to make inquiries rather than send Delhi police officers; (b) why he did not send his own CID to Delhi to protect Gandhi; and (c) why he did not get hold of Gurtu even on 29th January.

'Rana did not take any further action because he presumed that the gang must have been located in Bombay and he had one C.I.D. Head Constable Yadav in Delhi who was directed to move about in Delhi and visit railway stations and try to locate Karkare whom the Head Constable knew "as a communist from Ahmednagar" (this is another erroneous description; Karkare was not known to be a communist he was known to be a fanatical communalist). Rana did not think it necessary to send a special man from Bombay to Delhi. Rana's explanation for not doing anything further was that he had given instructions to the Delhi Police officers in regard to what was to be done in Bombay and Poona.' This is again a lie. Investigation records showed that Rana did absolutely nothing from the time he was handed the copy of Madanlal's detailed confession till the 30th; his claim that he had on his own briefed Delhi police on the 21st was a blatant lie, it is surprising he was not questioned let alone reprimanded.

'En route from Delhi to Bombay, Rana got fever. He went straight to Nagarvala who showed him what investigation had been done and Rana showed the statement of Madanlal which tallied with the information of Savarkarvadi group. Rana told him that he would send him a copy of Madanlal's statement immediately after reaching Poona to enable him to start further investigations in Bombay and Nagarvala asked him to send Poona Police Officers to help him identify those people and he specifically

asked for Angarkar. But Rana could not go to Poona because he had developed fever.'

Rana claimed that since the telephone lines were considered to be unreliable he did not use it to inform Nagarvala or Sanjevi about his information. He cites the example that when after the murder on 31st he was speaking with Nagarvala they had heard the operators giggling as they listened to the two cops speaking.

Rana's litany of excuses continues: 'It was incorrect that Rana knew about the names of Godse, Apte and Badge and that that fact was also known to Nagarvala. The fact is, as far as I am concerned, I did not know till I reached Poona who the editor and proprietor of *Hindu Rashtra* was'. This statement itself shows how incompetent Rana was, as a chief of CID based in Poona: he did not know the identity of persons who were actively being observed by his department. Then also if he came to know the identity of the editor and proprietor of *Agranee* and *Hindu Rashtra* on reaching Poona whydid he sit on the information? He had reached Poona on the evening of 28th more than forty hours before Gandhi was murdered. There was ample time to send Rao Saheb Gurtu and any other officer from Poona to Delhi who could have been present in Delhi by the morning of the 30th and would have had the opportunity of spotting Nathuram, Apte and Karkare who had gone to Birla House twice on the 30th.

The Kapur Commission's report states: As far as the Commission has been able to see, Rana made no effort to find out their identity or to take action to get them apprehended'.

In the last paragraph of his letter Rana justifies his inactions: 'He (Rana) had got his officers on the move on 29th January 1948 within a short time that he had at his disposal. However, I will make it more clear. Rao Saheb Gurtu was there when DSP Poona was called and the names of Apte, Godse and Badge were known from Rao Saheb Gurtu. I also asked him if Angarkar knows all three to which his reply was in the affirmative. There was no question of getting Gurtu and others in Poona on the move because the culprits were hiding in Bombay and the Bombay Special Branch were on their watch'. The letter ended by saying: 'It is really disgraceful in that we have not been able toprevent this, and now I wonder if really we can justify our existence as CIDs'. But the remorseful Rana who suddenly realised how incompetent he was, did not act upon his remorse by resigning.

Kamte continued his criticism of Rana: 'If telephone conversations were considered undesirable, the D.I.G. should have sent Civil Cipher Code Telegram'.

Kamte writes: 'The D.I.G. cannot be absolved of his failure to contact the Poona C.I.D. giving instructions to arrest the persons whose names or descriptions were known from Madanlal's statement, it was no use finding fault with Delhi Police Officers. The D.I.G. should have immediately informed Rao Saheb Gurtu. Even if the D.I.G. had fever, he could have sent a code telegram to Rao Saheb Gurtu and his telephoning to the D.I.B. was not the point at issue. The 'only fact' was that he failed to take action immediately after receiving the statement of Madanlal. When he reached Poona, Rana should have asked the A.D.I.G. to arrest the persons whose names and descriptions had been disclosed in Madanlal's statement'.

After severely criticising Rana for his acts of negligence and sheer incompetence, Kamte suddenly goes soft in his conclusion: 'But what follows takes away the force of the criticism because it says, 'He was being corrected for not realising this so that in future he may not commit these mistakes again'. Justice Kapur adds: 'Unfortunately, there cannot be Gandhis over and over again, at least not in the very near future, and therefore this admonishing was wholly fatuous'.

'In the opinion of the Commission, the assessment of Kamte was correct and had the D.I.G. taken only the most elementary step of asking his C.I.D. Poona about the identity of the associates of Karkare or Madanlal he would most probably have found out who they were. At any rate if officers could be flown from Poona after the murder to protect the Ministers in the Central Cabinet, the same course could have fruitfully been adopted after the bomb was thrown and Madanlal's statement of the 24th or 25th January had become available'.

A fourth inquiry was in the form of a cut motion introduced in the Bombay Provincial Assembly. Morarji Desai replied to questions and gave a report of the actions of the Bombay provincial government. He informed the assembly about what Prof. Jain had told him on 21 January 1948 but denied that Prof. Jain had told him that he had given this information to Jayprakash Narayan too. Jain's name was not disclosed to the police till the 30th because Jain had requested himnot to do so. He then said that whatever information he had received he had conveyed to Patel at Ahmedabad. There are two discrepancies in Desai's statement. One was that while testifying

before the Kapur Commission both Shankar, Patel's secretary, and Manibehn, Patel's daughter, said that they did not recall Desai having told Sardar about Jain's information. Second, Desai did not rush to Ahmedabad to inform Patel, the trip was for another purpose. Patel had agreed to attend the foundation stone-laying ceremony for a hospital in Ahmedabad. Desai was a trustee of the trust which was building the hospital. One wonders what made him mislead the assembly? Desai then claimed that he had also informed Gandhi about the threat to his life and had requested him to allow the police to take appropriate measures to protect him, but Gandhi had refused. Desai then went on to defend his police officers. He said: 'I told the police officer to take action against everybody who came under suspicion. Jain had not said that he gave me names of two other persons who ultimately were found to be in the conspiracy and who had nothing to do with the offence.... I have stated what steps were taken by the police force. I know all that because I was inquiring of the police officer constantly as to what was being done not only before the incident, but even afterwards when the offence was being investigated, because I wanted to give him the benefit, of my views and knowledge. I found that they were constantly on the move. Even at midnight I found that they were on duty. I found that police were not even caring for their meals. They had so much concentration on their work. That is why I cannot say that they failed in their duty'.

When the Kapur Commission summoned Manu Gandhi to testify, Desai called her and instructed her to say that since she was very young at the time of Gandhi's murder she could not remember anything. Manubehn told him that she was 'Bapu's daughter and would only tell the truth, nothing less and nothing more.' What was Desai apprehensive about?

Nagarvala was asked to explain his actions. His explanation was sent to the Government of India by Dehejia with his letter, dated 25 March 1949. Nagarvala sets out the steps taken by him in the investigation, if one may so call it, which he conducted in Bombay after Desai gave him information about Karkare, etc. It is really a copy of the crime report from 20-30 January 1948. With this letter he attached his letter to Sanjevi, dt. 30 January 1948. He also attached certain other documents: a list of places watched and names of persons watched during that period; his statement in court, portions of statement of Inspector Pinto and DSP Jaswant Singh.

'When his explanation, was received in the Secretariat, there were certain notings on it which were adverse to what Nagarvala had done. The office pointed out the various infirmities in the investigation which were worth mentioning.

(1) Badge was well known to D.S.P. Poona. Why was he not contacted and why was Karkare made the central figure and the case started with Madanlal?

(2) Why did the Delhi police not bring Madanlal's statement on 22 January 1948?

(3) What effort were made to establish contact with Delhi and what action did Rana take on Madanlal's statement?

(4) Did Nagarvala spot an editor with initials NVG from Poona who was Madanlal's companion?

(5) Did Nagarvala go to Ahmednagar to look for Madanlal's links there? Who was handling the investigation at Ahmednagar and Poona? If Badge was seen in Ahmednagar three days before and he was suspected, why was no action taken?'

When this note went to Morarji Desai, he held a discussion with his secretary and finally it was decided that it would be sent along with all the attachments to the Government of India.

Nagarvala raised objection to the commission and challenged its jurisdiction to make an inquiry into the conduct of the police, i.e., its shortcomings, its inaction or its acts of commission or omission, its negligence in the matter of investigation of the bomb case. Nagarvala's main contention against the jurisdiction of the commission was based on the ground that after the strictures passed by Judge Atmacharan, the high court came to different conclusions; and that once a court or a competent tribunal has come to the conclusion on a point in controversy in a criminal matter that becomes *res judicata* and cannot be reopened. The decision is binding and conclusive in all subsequent proceedings between the parties to the adjudication. This seems to be Nagarvala's desperate attempt. Justice Kapur cited precedents and previous judgements to establish the legality of the commission's jurisdiction.

7.5 'During the trial, or at the appellate stage, whether the police investigated a matter properly or not could not be a matter materially and substantially in issue because on the efficient investigation of a case does not depend the acquittal or otherwise of an accused person, although it has

been ruled in certain jurisdictions that evidence improperly collected or illegally obtained cannot sustain a conviction. In the inquiry before this Commission, the matters in controversy are (1) whether the investigation in the bomb case was proper or improper; (2) whether as a consequence of it or even without that matter being taken into consideration, the police had given proper protection to Mahatma Gandhi; (3) whether by improper or negligent investigation the accused were allowed to return to Delhi and commit the murder; and (4) whether murder could, by adequate measures being taken by the police, have been prevented. This may depend upon whether the investigation which was carried on from the time that the bomb was thrown at 4.15 p.m. (This is an error, Madanlal exploded the gun cotton slab at 5.15 p.m.) on 20th January to 30 January 1948, was efficient or not; and upon the question whether the police by its inaction, improper investigation, allowed the persons in the conspiracy to escape and remain undetected. In the opinion of the commission that matter was not before the high court and any decision given by the high court is not *res judicata* within the rule laid down by the Supreme Court in Pritam Singh's case. Besides there is no *lis* before a Commission of Inquiry'.

7.6'Investigation by the police and the conduct of the inquiry or trial in a case are two separate compartments treated in the Code of Criminal Procedure and the Courts except to the extent so provided in the Code have no jurisdiction on police investigations which was pointed out by the Privy Council and Khawaja Nazir Ahmad's Case. 71 I.A. 203; A.I.R. 1945 P.C. 18'.

7.7 'Judge Atmacharan had found the police guilty of inaction and therefore, guilty of not having prevented the death of Mahatma Gandhi. The High Court held that those remarks were not justified although no petition had been filed before the High Court for the expunction of those remarks'.

7.8 'It may be remarked that *res judicata* in criminal cases has the effect of preventing double jeopardy, i.e., the person acquitted cannot be again tried for the same offence. But there is nothing to prevent the sovereign from satisfying himself by collateral proceedings that the conviction was not improperly obtained, in order to exercise its powers of mercy or paying compensation to the wrong man. Similarly, if an accused has been acquitted by improper means, the sovereign may try to find out the illegality.

7.9 In the High Court after dealing with the question of negligence or otherwise of the police, Justice Bhandari said: 'The evidence on record

satisfies me (a) that no opportunity was afforded to the police to explain the circumstances which prevented them from apprehending Nathuram before the 30th January and there by saving the life of Mahatma Gandhi; (b) that Madanlal failed to supply the names of the conspirators to the police; (c) that even if those names were supplied it was extremely difficult, if not impossible, for the police to arrest Nathuram who was going about from place to place under assumed names and who was determined to assassinate Mahatma Gandhi even at the risk of losing his own life'.

Justice Achchruram said: 'Before concluding I want to advert some remarks made by the learned Special Judge as to the slackness shown in the investigation during the period between the 20th and the 30th January 1948 but for which in the view of the learned Judge, the tragedy could have been prevented. I must say that I have not been able to discover any justification at all for these remarks which in my judgement were wholly uncalled for.'

Justice Khosla said: 'I concur with the conclusions arrived by my learned brothers Bhandari and Achchru Ram JJ.'

Then the Kapur Commission's Report gives a detailed summary of why Justice Bhandari absolved the police; Justice Achchruram did not give any new reasons.

7.12 'This Commission is not sitting as a Court of Appeal against the High Court nor is it open to find fault with the findings of the High Court, still less to readjudicate on matters already dealt with by it. But this principle applies to matters which deal with the guilt or innocence of the accused or matters so connected with the decision of that question as to be part of it, but not to matters wholly subsidiary which do not affect the merits of the case e.g. the commission of the offence and those who committed it. Therefore, it is open to the sovereign or the State to find out through the agency of a Commission whether its protective and investigational machinery was properly geared to the protection of the Mahatma. In the opinion of the Commission the finding of the High Court about the quality of investigation is not binding on it, because it was not a matter materially and substantially or even collaterally in issue at the trail which falls within the rule of *res judicata* as stated in *Sambasivam's Case."*

7.13 'As has been said, the rule *res judicata* is inapplicable and there is no rule of propriety or fairness which would bar such an inquiry.'

7.14 'The objection on the ground of want of jurisdiction is,therefore, overruled.'

8.3 'It is further alleged that the police acted inefficiently, ineptly and unskilfully and the Home Minister of Bombay was complacent and even if he did convey the information given by Prof. Jain to the Police, he was bound and required to supervise the investigation and keep a watchful eye on it and that the ineptitude of the police in the matter of investigation made the Minister responsible, and further that the Minister should have ordered the arrest of the persons named by Madanlal and by Prof. Jain and seen to it that they were arrested and their associates were quickly found and arrested. And if the Police bungled, the responsibility is of the Minister, at least the failure of the Police falls under what is called the 'ministerial responsibility to the Legislature'.

The Commission has cited comments of two witnesses on this issue, one the eminent statesman and constitutional lawyer, K.M.Munshi and R.N. Bannerjee, ICS, who was Home secretary to the Government of India.

8.15 of the Commission's Report states: 'The opinion of K.M.Munshi may be quoted in *verbatim:*

'If as a Minister, I get a report about somebody's life being in danger, the first thing that I would do would be to pass on the report to the Inspector-General of Police to look into its trustworthiness and ask him to take such steps as the law allows. If, on inquiry, he finds that the report is baseless, he can do nothing. If he finds that there is something in the report, then he can take action and keep the Minister informed.

'If the Minister ordered arrests of persons on reports, that would be the end of law and order in the country. I would not do it. The Home Minister can only put his police in charge of the case; he cannot do anything more except to use the instrument of the police machinery to verify and take action'.

8.16 R.N. Bannerjee's opinion is as follows:

'If any information had been given as it is now stated that it was given by Prof. Jain, then proper directions should have been given to the Secretary or to the Head of the Police and he should have been asked to submit his report within a short but specified time and the progress of the investigation should have been watched and more interest taken as to what the police was doing.

'As far as I can see, Bombay Government had great faith in the ability of Nagarvala. If the Home Minister had given him instructions then it would

be right in saying that he had done what he should have done i.e. in leaving the matter in the competent hands of an officer of the ability of Nagarvala'.

8.17 He was asked by the Commission if he did not think it necessary to call up the police officers to whom the information had been given in Madanlal's case and ask them what they were doing, his answer was:

'Those were the days when the Ministers had just come. To the best of my recollection I must have prepared a note suggesting close attention to the matter. I have not the record with me and therefore I cannot say what exactly I wrote. But it is correct that we relied upon the efficiency of the police which proved wrong'.

8.20 In reply to a further question as to why sufficient interest was not taken in finding out the progress of the bomb case as it was done after the murder case. Banerjee replied:

'My assessment of that is that they did not take the case so seriously then and they trusted the high police officials who were in charge of the investigations and they were under the impression that such high police officials would do their duty.'

Nagarvala was asked by the commission:

'Q. What power has the minister to order the arrest of any one?

Ans. If a minister gave an order for arresting any particular person and I on considering the matter thought that it was a reasonable order under the circumstances, I would unhesitatingly carry it out.'

Chapter IX of the Kapur Commission's Report deals with the previous attempts on Gandhi's life. Since I have dealt with these ina previous chapter I will not repeat these here except for a few select extracts. While dealing with the attack at Panchgani the commission has cited an extract from the *Agranee*: 9.29 Ex.52 is an extract from the *Agranee* of 23 July 1944. There also the incident given is that of demonstration organised by Hindus against Rajaji's 'unpious formula of Pakistan in this land of Shivaji'.

Apte says: 'Gandhiji you have committed an offence of stabbing the nation, by giving your consent to Pakistan formula. You have already confessed that you have no right to speak on behalf of Hindus. Today we are demonstrating peacefully our protest on behalf of Hindu Youths. You bear in mind that if you do not change your behaviour more difficult situation and ill fame await you. We will treat the mas traitors who will try to vivisect our motherland. We, by this statement call on national minded people to treat Gandhi-Rajaji formula in this manner'.

Although the Kapur Commission concluded that the attack in Panchgani was not life threatening but a mere demonstration a similarin stance throws light on the attitude of Godse and Apte towards those who held diverse opinions. This was narrated during Badge's cross-examination during the Red Fort Trial. Bhopatkar the chief defence counsel, was present in court. Neither Nathuram nor Bhopatkar challenged Badge's story. This would lead one to believe that what Badge had narrated was true.

The Kapur Commission has relied on police testimonies to arrive at the conclusion that both the attack at Panchgani and at Sevagram were mere protests and not murder attempts. It must be remembered that at that time the police were under the British and not likely to be too concerned about what Indians did to each other, It would have been very convenient for the British if an Indian did away with Gandhi; they would then be rid of the irritant and they would face no blame.

Chapter X deals with the attack at Wardha and Chapter XI deals with the derailment of the Gandhi Special Train. I have dealt with this in another chapter and the Kapur Commission's Report states nothing different so I will not delve on these chapters again.

Vol. II Chapter XII deals with conditions in Delhi; 'Partition of India; the events leading up to it and the aftermath of the partition'. I have dealt with this in detail previously so I will only reproduce some pertinent excerpts.

Dr. Sushila Nayyar was called by the Kapur Commission; she was witness No. 53. Her testimony is as follows:

12A.29 Dr. Sushila Nayyar, Mahatma's Personal Physician (witness No. 53) has described the conditions before and during the fast thus: Mahatma Gandhi blamed persons who were guilty of violence andadvised the majority community to behave properly towards the minority which caused a certain amount of discontent among there fugees who shouted slogans outside the Birla House. Mahatma Gandhi undertook a fast because the atmosphere became too oppressive on account of both sides exaggerating matters and the Mahatma was anxious that proper protection should be accorded to minorities here so that in Pakistan also the minorities could feel safe.He said that he could not ask Pakistan to behave until India herself behaved in a proper manner. 'Evil is not weighed in golden scales. 'Continuing she said: 'When Mahatmaji undertook the fast, for the first two or three days the refugees were not affected thereby. On theother hand they began shouting *"Gandhiji ko marne do, ham ko ghar do.*'"Let Gandhiji die,

give us homes". But after four or five days when Gandhiji's health deteriorated there was a complete change in the mentality of both the Hindus and the Muslims of Delhi. Long lines of persons used to come to ask Gandhiji to give up his fast; they had tears running down their cheeks. There were men, women, Hindus, Muslims, Muslim women in *Burqas,* refugees and non-refugees. It made a tremendous impression on the whole of the Delhi populace.'

12A.30 She added that the refugees were in an angry mood when the Mahatma undertook the fast. About the precautions taken she said that after the bomb there were more plain-clothes policemen round about the Birla House but she did not know if they also attended the prayer meetings. There was one policeman who said 'What difference does it make if an old man dies. Why make a fuss.' She said that she was not consulted about the security arrangements.

12A.56 At pages 685-686 of the same book, Pyarelal has said that the Mahatma had become irritable and that he was trying to keep it down. Suddenly he used to say, 'Don't you see. I am mounted on my funeral pyre?' Sometimes he would say, 'You should know it is a corpsethat is telling you this'.

12A.77 J.N. Sahani, a well known journalist, further stated that people like Dr. N.B. Khare, prime minister of Alwar, made provocative speeches likely to incite violence and other people from Poona alsowere making similar kind of speeches. Most of them were Marathi newspapers. He learnt this as a member of the editor's conference. There were, he said, some Punjab papers also which were writing inthe same strain and those matters were also reported to the conference. It was being openly discussed in those days that there were about six lakhs volunteers forming a part of a secret organisation plotting tostage a *coup d'etat.* This organisation had secret cells in different parts of India—Punjab, Southern India, Maharashtra, etc.

12A.85 Sahni's attention was then drawn to page 223 of the book as follows:

'Q. Now I draw your attention to Maulana Azad's book, *India Wins Freedom*, page 223, wherein he has said that Jayaprakash Narayan had accused Sardar Patel that the Home Minister of the Government ofIndia could not escape the responsibility of the assassination of Mahatma Gandhi.

A. I do not remember exactly these words. But I do remember that there was quite a feeling in responsible circles that Government could not escape

the responsibility for not having taken proper precautions to avert this tragedy especially after the bomb incident.'

2A.92 There was a meeting of All India States Hindu Mahasa bhaat Bombay on 29th, 30th November and 1st December 1947 (Ex. 275-A).One of the speakers was Master Tara Singh, the Akali leader. He made a spirited speech saying that hundreds and thousands of Sikhs were killed in Punjab by Muslims and still the government was protecting the interests of Muslims while Hindu and Sikh refugees were dying of cold in Delhi. Gandhi had no feeling for them. He cared more for the Muslims and he was requesting them not to leave India. He said that the English had left the eternal enmity between Hindus and Muslims....Jinnah had said that as long as Islam remained they would not allow a single Sikh to live in Pakistan. He (Master Tara Singh) retorted that as long as Hindu Dharma lived, they 'shall not allow a single Muslim to live (loud cheers)'. Nowadays, he said, many Muslims were calling themselves nationalists but no Musalman could ever be a Hindu- lovingman. He would always be a Muslim at heart although he might pretendto be a nationalist. He added that they would allow all religions to continue to live in India but they could not allow 'their necks to be cut by Musalmans'. He wanted all Musalmans to be sent to Pakistan.

12A.93 Savarkar (also at that meeting) drew the attention of the public to the danger from Muslims who were joining the Congress. 'How could a Muslim Leaguer become a nationalist overnight?' TheMusalmans wanted to create another Pakistan in India. He said that Rajaji was their next enemy and that Congress' repressive policy towards the Hindus would rouse *'Hindutva'* in the hearts of the masses.

12B.10 Under the heading 'Hindu Affairs', it was stated that the orthodox Hindus were criticising the Congress for their policy of appeasement. V.G. Deshpande, Mahant Digvijay Nath and Professor Ram Singh at a meeting held on 27th at Connaught Place under the auspices of the Delhi Provincial Hindu Sabha said that Gandhi's attitude had strengthened the hands of Pakistanis. They criticised the communal policy of the Government of India and the measures taken by Gandhi to coerce the Indian Cabinet to pay Rs. 55 crores to Pakistan. Mahant Digvijay Nath exhorted the gathering to turn out Mahatma Gandhi and other anti-Hindu elements. Professor Ram Singh also opposed Gandhi's policy.

12C.7 Some Socialist leaders like Jayprakash Narayan, Dr. Ram Manohar Lohiya and Mrs. Kamaladevi Chattopadhyay issued a statement at

a press conference in which they said that 'the assassin was not one person but there was a wide conspiracy and organisation behind it. They laid blame on the Hindu Mahasabha, RSS and the Muslim League and such like bodies for the assassination Mahatma Gandhi. They accused the Government for not protecting the Mahatma against a 'prowling assassin'. They then asked for reconstitution of the Government and demanded that the Home Ministry must be entrusted to a person who will have no other portfolio and who will be able to curb the cult and organisations of communal hate and there should be no place in the reconstituted Government and, in particular, the Home Minister must push through at top-speed the programme of purifying Government services of all communal elements and of educating them into a national citizenship.

12C.19 Further, the evidence of police witnesses that Bombay Provincial Police from Poona should have been called, is based on good commonsense and the Commission is of the view that that should also have been done although according to D.W. Mehra, witness No 23 and U. H. Rana, witness No. 3, both D.I.Gs., it wouldhave been inefficacious.

12C.22 It would be fair to add that the conditions in Delhi from after the Partition right up to the time the fast was under taken weremost disturbed and disturbing. There were Hindu-Muslim riots in theold city and there were disturbances even in the area around about the city. According to V. Shankar, witness No. 10, the time of the District Magistrate was mostly taken up with the law and order problems, and M.S. Randhawa who was then the District Magistrate, has also emphasised this aspect of the state of affairs in the capital.

Next the Commission examined principal witnesses who at the time of the bomb explosion and Gandhi's murder were connected with the Home ministry. These witnesses were V. Shankar, ICS, Patel's private secretary, R.N. Bannerjee, ICS, secretary of the Ministry of Home Affairs, Miss Manibehn Patel, M.P., daughter of Patel.

12D.2 V. Shankar, witness No. 10 stated that from the intelligence reports as well as from the discussions between the Bombay premier and the Home minister, the Sardar knew 'that there was a move to assassinate Mahatma Gandhi and also that perhaps the centre of that movement was at Poona', but the witness did not know about any particular individual who had given that information. At that time there were vague rumours and

suspicions but the bomb incident was the first concrete piece of evidence on which action could be taken.

12D.5 The general instructions were that the suspects 'should be particularly kept under watch' and the first concrete evidence on the basis of which any effective action could be taken was the confessional statement of Madanlal. Before that there were only rumours. The Sardar, Kher and Morarji Desai knew that there was a conspiracy but not as to who was in it. Even a man like N.C. Kelkar was being mentioned.

12D.12 Shankar was examined by this commission on April 10, 1967. He did not know anything about Ketkar's giving information through Balukaka Kanitkar but there was information of the existence of a hostile camp at Poona known as the 'Kesari School' which was against Gandhi and Savarkar was its inspiration. But their activities were watched by the Bombay Special Branch which since British days used to deal with political matters and it was not the ordinary C.I.D.The witness said that the Sardar must have seen the statement of Madanlal made on 25 January. Even earlier, a gist of the statements of Madanlal made from time to time were conveyed to him by the D.I.B. and the witness distinctly remembered that the Sardar had ordered to keep persons mentioned by Madanlal under surveillance.

12D.17 R.N. Bannerjee, ICS (retired) was the Home Secretary of the Central Government at that time was examined by Pathak on 22 January 1966.

12D.18 ... Further at the meeting (On the evening of 31 January,1948) everybody was disgusted with the police inaction and Bannerjee described his own version in an article in a book called *The CivilServants in India* by K.L. Punjabi where he said the following:

'All the same a great deal of temporary disintegration occurred in Secretariat administration. In Delhi Province (which never had a proper full-time Inspector General of Police ever since its creation in 1912) the police force got ill-organised and weak; and minimum liaison between the Chief Commissioner and the Home Department on the one hand and the district administration on the other could hardly be maintained. Mahatma Gandhi's assassination on 30 January 1948 was partly a by-product of this confused state of affairs. After the cremation there was a meeting at Sardar Patel's residence in the evening of the 31st and it was disclosed for the first time that by the early morning of 21 January the Delhi Police had in their

possession statement made by Madanlal (who detonated a hand-grenade at Mahatma Gandhi's prayer meeting at Birla House on the 20th evening and made a confession to the police overnight) in which the full history of the conspiracy was set out. The Delhi Police did function in one respect, namely that they sent Madanlal's statement to the Bombay Police on 21 January evening but the papers lay with the Bombay Police. Both Godse and Apte could have been found and nabbed in one of their two Bombay haunts on the 23rd. Unfortunately nobody took any action on this statement of Madanlal and the Delhi police did not even remind the Bombay police. The Delhi Magistracy and the Home Secretariat remained ignorant of the statement (as the head of the Delhi Police never kept them informed).

12D.22 Asked as to what should have been done if information was given to the Bombay government as early as July 1947 that Gandhi's life had been threatened, Bannerjee said the government should have ordered to keep those persons under surveillance and should have also informed the Delhi Police.

12D.32 Regarding the RSS the witness complained that when decisions were taken in regard to the banning of RSS, the news leaked out and appeared in the press the next morning and thus the tallpoppies of RSS went underground in the early forenoon of 1st February.... In Mahatma Gandhi's case the minister and the Secretariat started issuing directives to the police and the magistracy because it realised that the police had not functioned properly.

12D.37 The next witness whose testimony is relevant in regard to the Government of India is Miss Manibehn Patel, daughter of Sardar Patel, witness No. 79.

12D.44 .... 'We did know that Mahatma's life was in danger and whatever precautions could humanly be taken were taken. But this much I can say that I had no idea that there was a conspiracy to murder Mahatma Gandhi. At that time at least I thought that the danger to Mahatma Gandhi's life was more likely to come from Muslims....'

12D.45 .... She did not know anything about things happening and speeches being made in Poona or Ahmednagar indicative of violence against Mahatma Gandhi. She did remember that a fortnight before the murder a newspaper editor from Poona, from whose paper security had been demanded, came to see her father at 5.00 A.M. but she would not be able to recognise him because it used to be dark at that time. But she could

remember that he talked about the demand of security payment from his paper. He complained that Morarji Desai had been unfair to him. (This has to be Nathuram Godse since his was the only paper from which security had been demanded and in court too when Morarji Desai appeared as witness Nathuram had shouted angrily at him alleging that Desai had vindictively harassed him. This means just a few days before the bomb attack Nathuram Godse had met the Union Home minister Sardar Vallabhbhai Patel.)

12D.46 Before Mahatma Gandhi was assassinated her father went to see him. She accompanied him. They talked on various matters but he did not broach the subject of searching of persons coming to the prayer meetings. The news of the murder was conveyed to them by Brij Kishan Chandiwalal soon after they returned home.

12D.48 She added that her father was publicly accused for being responsible for the murder at a meeting by Jayaprakash Narayan. Maulana Azad was present at the meeting but he did not protest this was a great shock to her father.

12D.49 ... She could not remember if there was any talk between her father and Balasaheb Kher after the murder about earlier information about danger to Mahatma Gandhi's life.

'Q. Do you remember if at any time Balasaheb Kher mentioned it to your father that it was weighing on his mind that some information conveyed to him earlier was not taken much note of?

A. I can definitely say that nothing of that kind happened. Balasaheb did not either blame himself for being negligent nor was any blame against my father. Balasaheb I knew very well and at no stage did he ever blame himself for being negligent in the matter of handling of the information of danger to Mahatmaji's life.'

12D.53 ... She characterised the allegation absolutely false that her father was not protecting Mahatma Gandhi because of his attempts to remove him from office. On the other hand, she said that her father did not want to stay on in the Cabinet and had sent his resignation to Mahatma Gandhi. As a matter of fact Gandhiji opposed the presence of policemen in Birla House in order to maintain the reputation of the State.

12D.54. Gandhiji made a speech (post prayer) which was published in the Harijan of 25 January 1948 where he said: 'I wonder if with a knowledge of this background to my statement anybody would dare call my fast a condemnation of the police or of the Home Ministry. If there is any

such person, I can only tell him that he would degrade and hurt himself, never the Sardar or me....'

12D.56 .... The Sardar said that Brajkishan and Aruna were also in league in his removal and that Jayaprakash had started attacking him in Bombay and at Surat.

12D.57. On the following day i.e. 5 March, Sardar Patel had a heart attack. At 4 p.m. that day he told Sushila Nayar that he had to go with Gandhiji who had gone ahead alone.

12D.58 The diary shows that the Sardar was saying that he must die and go to Gandhi.

12D.62 On 2nd February, 1948 Sanjevi warned Sardar Patel that he should not go out for a walk in the mornings as there was danger to his life and that of Panditji.

12D.63 On 3rd February, 1948 a man came with his daughter who was employed in the telephone office and she gave a number in Alwar and repeated what she had heard on the telephone. Sanjevi was called and asked to inquire into the matter at Alwar. (Unfortunately, nothing is mentioned about what she overheard.)

12E.2 Evidently the Home secretary of the Central Government who has always been the recognised pivot of the administration concerning law and order and security was kept ignorant and there is nothing to show that the seriousness of the offence was indicated to him or he kept himself informed of the progress of the investigation or what the Delhi Police were doing or what information was coming in to the Home minister or his private secretariat.

12E.6 Morarji Desai also said that the danger to Mahatma Gandhi was from the RSS and from the Hindu Mahasabha. He put the matter thus:

'I could not say who the exact person were who would do harm to Mahatma Gandhi. But from the information I had I could say that they were likely to be either the refugees or the RSS and Hindu Mahasabha, but not necessary from Poona. It was also possible that they could be Muslim Fanatics and this class of people was dispersed all over the country and they were more in the North than in Bombay.'

12E.7 Khadilkar, witness No. 97, stated that danger to the Mahatma was from the Hindu Rashtra Dal. According to V. Shankar, Sardar Patel knew of the danger to Mahatma Gandhi from RSS.

12E.8 V. Shankar, witness No. 10, has stated: 'My impression is that there was information of the existence of a hostile camp in Poona which was then known as the Kesari school of thought against Gandhiji and Dr. Savarkar was the inspirer of the school and as far as I know their activities were kept under watch by the Bombay Special Branch', showing there by that the Poona school was against Gandhiji and was a potential source of danger. According to J.N. Sahni, witness No. 95, there were two schools of thought in Delhi, one for banning communal organisation and the other against it. B.B.S. Jetley, witness No. 55, when recalled on 14 January 1969 stated that there was a list of 600 to 700 cases against the RSS in a couple of months after independence, the charge against them being of collecting arms, attacking villages and assaulting individual, and he recommended that the RSS should be banned. He actually went to see the C.I.D. Chief at Lucknow and also Govind Vallabh Pant who was then the premier of U.P. and Lal Bahadur Shastri who was the Home minister, and recommended to them that RSS be banned. They agreed with him but said that they will have to consult Sardar Patel. This organisation was banned, but after the murder. He also said that it was difficult to ban RSS because the Muslims were already against them and he did not want a section of the Hindus also to be against them.

12E.9 Dr. Sushila Nayyar, witness No. 53, has given the reaction of Mahatma Gandhi regarding the RSS thus. When she praised before the Mahatma the work of RSS volunteers at Wah, (a refugee camp near Rawalpindi), he said that she did not know them. They are like the Black Shirts, like the Fascists and the Nazis'.

12E.12 Rajaji in his book Gandhiji's Teachings and Philosophy published by the Bharatiya Vidya Bhavan at pages 20-22 has stated as follows: 'When on 30 January 1948, Gandhiji was assassinated by Godse, Sardar Vallabhbhai Patel felt that the conspiracy to kill Gandhiji was due to Hindu anger against him on account of the advice of his to pay a huge sum of money to the Pakistan Government when it was organising and carrying out a wicked military campaign against us. Our folly in helping the enemy with fifty crores (Should be Rs. 55 crores) rupees at that juncture was thought to be inexcusable and the small militant anti-Gandhi Maharashtrian group felt this as a climax of Gandhiji's disservice to the nation and decided to put and end to this 'foolish saint' whom the nation could not otherwise get rid of. So great was his influence and so foolishly did the people venerate

and obey him that these conspirators thought, according to the Sardar, that there was no way out other than assassination.'

In the wake of the murder Patel continuously harped about the fact that the insistence of Gandhi to pay Pakistan was the main reason that he was murdered. Patel conveniently seemed to have forgotten that the agreement by which the joint capital of undivided India, was to be shared by India and Pakistan was signed by him and Nehru.

In the wake of the inexcusable inefficiency of the police department under him Patel was forced to cloud the real issue by diverting attention by making baseless allegations. The final fast of Gandhi was not for the payment to Pakistan, if it were so he would not have continued his fast for four days more after the Indian Cabinet declared that it would pay the money. Gandhi fasted to bring about peace in the North-western parts of India and in Delhi.

12E.16 Next witness No. 18, M.S. Randhawa, the deputy commissioner of Delhi at the time of the murder, was examined. He stated that from September 1947 to 20 January 1948 it never came to his knowledge that Gandhi's life was in danger. He had even taken him to a village to open a panchayat ghar without taking any special precautions.

12E.18 Randhawa referred to his letter of explanation, Ex. 140(7) dated 7 February 1948 in which he explained the reason why he allowed Mehta Puran Chand, advocate, to interview Madanlal on 24 January 1948. He then said, 'I must mention a serious lapse on the part of Superintendent of Police, New Delhi that he did not keep me informed of the progress of investigation of this case and I did not receive a single report from him which could give me an indication that Madanlal accused was involved in a conspiracy to murder Mahatma Gandhi.' A special report regarding the bomb incident was cyclostyled on 26 January and a copy was sent to his office on 27 January. 'I was under the impression that Madanlal had exploded a cracker or a bomb simply as a protest against Mahatma Gandhi's views and was not involved in a conspiracy to murder case....' His explanation was not accepted by the Home Ministry and was characterised as 'obviously unsatisfactory'.

Here is another interesting blunder. Madanlal, the only lead to the conspiracy to murder Gandhi, who was being interrogated by the Delhi Police was allowed to be interviewed, while in police custody, by an advocate. The man could have been a decoy and could have killed Madanlal

to protect the others involved in the conspiracy. He could have also passed on instructions to Madanlal to enable him to feed misleading information to the police.

12E.20 When asked what he would have done if he had known about the conspiracy, he said that he would have gone to the Home minister and would have called a meeting of the emergency committee to devise means for doing something appropriate. He was shown a copy of Ex. 84, Special Report of the Superintendent of Police, but he said that he could not remember whether he read it or not, nor whether it did reach him at all.

12E.23 He added, 'I would have stopped the prayer meetings whether Mahatma Gandhi liked it or not because his life was very important and I personally had a great respect for him as a leader'..

He added that he saved the life of M.A. Jinnah and other Muslim League leaders when they were attacked at the Imperial Hotel by Khaksars. It was probably in May 1946. Further he said, 'I would have controlled people who were coming to prayer meetings.'

12F.1 Brij Krishan Chandiwala, witness No. 11, stated that the refugees were in an angry mood. Once to Gandhiji's face they called him names. On another occasion a procession came to Birla House shouting slogans, *'Khoon ka badla khoon se lenge.'* (We shall avenge bloodshed by shedding blood, or murder by murder.) When Gandhiji broke his fast, the people's minds and 'hearts were not clean' and that is why 'a hand-grenade burst with a great sound on the 20 January 1948 after his finishing prayer and Gandhiji had a narrow escape. Arrests were made after this incident. About 2 or 3 persons were arrested. From that day we became very vigilant and took great care about Gandhiji. Three or four days later a police officer came to see me and informed that the incident of 20th was a conspiracy to murder Gandhiji and the names of 9 persons have come to our knowledge who were involved in it.... I thought that police will at once arrest those persons and there was no reason to fear left.' Gandhiji's opinion was also that it was a conspiracy to kill him. He added that he could not imagine that the police could be so careless that after knowing about the conspiracy Gandhiji would be murdered. 'After we came to know that the police was looking into the matter, we did not do anything.'

12F.4 They never suspected that any kind of outrage would be committed by Poona people. They were suspecting other persons. Although

Chandiwalal had come to know that Madanlal had thrown the bomb he never tried to find out who was behind the offence.

12F.8 Dr. Sushila Nayyar, witness No.53, was questioned next. She stated that nobody in the ashram (Bapu's entourage) could imagine that anybody would do harm to Mahatma Gandhi. They took the fatalistic attitude that as long as God wanted the Mahatma to serve the country, he would. There were rumours that the Mahatma's life may be in danger and that is why security men in plain clothes were stationed in Birla House and the plain clothes policemen had to hide themselves behind bushes to keep themselves out of Mahatma's sight.

12F.12 Pyarelal, witness No.54 said, 'when the Mahatma learnt about the bomb he at once said that there was a conspiracy to murder him'. Previous to that he had thought that it was just a military practice.

12F.14 He knew that Madanlal had been arrested and Gandhiji had said that he (Madanlal) should not be harassed.

12F.15 Mahatmaji was convinced that there was a conspiracy but he did not know its extent or its nature. The witness had never been able to reconcile himself to the failure of the police to trace the people mentioned by Madanlal in time. Either it was inefficiency or there was a lack of will.

These three testimonies of persons very close to Gandhi reveal yet another lapse that facilitated his murderer. This time it was the turn of the most trusted to let him down. As per the testimony of the persons living with Gandhi or in charge of the arrangements, whenever he went to attend the prayer meeting he would be ringed by a chain of volunteers. The sturdier Ashramites and volunteers would walk ahead of him clearing a path, the rest would form a impenetrable ring around him so that the crowds in their eagerness to touch him and receive his blessings would not hinder his progress or trip him. Inexplicably after the bomb attack the Ashramites and volunteers scaled down this arrangements till only Chandiwala and Gurdayal Singh would walk in front of Gandhiji clearing a path. On the fateful day, both Chandiwala and Gurdayal Singh were not even doing this. Nathuram Godse could, without a hitch, get close to Bapu and shoot him from less then three feet away. There was never a satisfactory answer as to why a practice which had not even been objected too by the Mahatma himself was suddenly discontinued.

The next witness was Manuben Gandhi, granddaughter of Gandhiji's brother. Manuben was one of the girls who had come to be known as

Gandhiji's 'walking sticks', and was one of the persons nearest to Mahatma Gandhi at the time of his murder. There is an interesting tale. When the Kapur Commission summoned Manuben, Morarji Desai called her and told her—'Manu youmust only tell the Commission that you were very young at the time of Gandhiji's murder and too much time has passed since, so you do not remember anything.' Manuben replied, 'I am Gandhiji's daughter and I have been taught to tell the truth and I will only tell the truth.' This incident was narrated to me (the author) recently by a person who was present in the room when Morarji Desai spoke to Manuben.

12F.16 Manuben Gandhi, witness No. 99, stated that they had no knowledge of danger to the Mahatma's life till after the bomb attack.

12F.17 The members of the Mahatma's party did feel that there was danger for about two or three days after the bomb incident but after that everybody thought it was alright. Mahatma did not agree to special protection and he only allowed guards to be put there to satisfy the Sardar. He believed in the protection of God. She also said that Mahatmaji's reaction to search of visitors was that he would have rather died than allowed it.

12F. 18 This evidence does not show that the inmates of the Birla House and those who were round about the Mahatma were quite alive to the danger to his life so much so that one of them even did not know whether Madanlal had been arrested or not, or whether it was one man who was arrested or more than one man, and they never found out if he had made any statement or what statement he had made. As far as they were concerned, they took no precautions of any kind to protect the Mahatma.

12F.22 Assuming though not deciding that the police was negligent, extremely negligent, even inefficient, this simple precaution (of four to five people flanking him) should in any case have been taken if for nothing else then to prevent the people who were over-zealous. It is still more surprising that even the Congress volunteers (Seva Dal) were told that it was no longer necessary for them to look after the safety of the Mahatma which in the opinion of the Commission was a serious lapse.

12F.38 Witness No. 11 Brij Krishan Chandiwala said that once a young man came to him in an agitated mood and he said he wanted to see Mahatmaji and if he was not allowed to do so the witness would be sorry for it. He (Chandiwala) could not say who he (the young man) was; it might be that the man wanted to tell Gandhiji that his life was in danger or he

might have become a murderer himself. The witness reiterated that he could not imagine that the police would become so careless as not to protect Gandhiji.

112F.41 The statement of this witness does not show that the inmates of Gandhiji's camp realised the danger to Mahatma Gandhi's life. It also appears that they were not getting correct information which is shown by the witness saying that two or three persons were arrested on the 20th and that later on a policeman had told them that names of nine persons had been ascertained and they were being traced.

12F.56 Pyarelal Nayar, witness No. 54, said, Sardar Patel did say thai Muslims could stay in India and they will get protection but they must not have divided loyalties. Mahatma Gandhi exhorted the Muslims to condemn the abduction of Hindu women and that those Hindu women should be restored and asked the Muslims to make a public statement that those women should be restored to their families but no organised Muslim society issued any such appeal as far as the witness could remember, but individuals might have done so. Mahatma Gandhi said he would not be surprised if in spite of all the homage paid to him by leaders, they would say one day 'We have had enough of this old man: why does not he leave us alone?' This was in connection with the general fall of standards which had come in Congress ranks and growing corruption which Mahatma Gandhi found in Congressmen and their deviation from the path of non-violence.

12F.77 Witness No. 3 Vishwanath Shah, deposing before Pande said—A woman in Birla House told him that some people used tc roam about the Birla House whom she suspected. She was the wife of a driver, most probably Sulochana Devi, an important eyewitness who identified Madanlal as the bomber and also saw his accomplices. The witness told the police about this. The woman identified Madanlal Pahwa and said that he and his companions used to roam about Birla House.

12F.79 Manuben Gandhi, Witness No. 99 told the commission: When we mentioned to the Mahatma about the danger to his life, he just laughed and said 'If God wishes that I should live, I shall live and if he does not wish me to live then He would take me away'. After the bomb was thrown Lady Mountbatten came to congratulate the Mahatma. The Mahatma said to Lady Mountbatten, 'On this occasion I have shown no bravery. If somebody fired at me point-blank and I faced his bullet with a smile, repeating the name of Rama in my heart, I shall indeed be deserving of congratulations.'

12F.82 The most important part of this witness's statement is her deposition about the visit of Nathuram Godse on 30 January 1948. Manuben claimed that, at about noon Nathuram Godse came to Birla House. Nobody stopped him because people used to come like that 'and we did not think that it was anybody special who had come'. He must have come by the back door; quite a number of people used to do so. The Mahatma, at the time when Nathuram came, was sleeping outside in the sun and if he wanted he could have shot him there. She was certain it was Nathuram Godse who came because when he fired the fatal shots she was present and she recognised him to be the same person who had come on that day. Her feeling was that when he came at noon he was overawed by the very presence of the Mahatma.

12F.85 She was asked whether the Mahatma was miserable about what was happening around him, her answer was 'Yes'. When asked whether Mahatma was unhappy because of what was happening in the country or because of the consequences of the partition, her answer was 'because of both; both these affected him.' She was asked whether Mahatma was unhappy because the Government misbehaved or the people were misbehaving or both were misbehaving. Her answer again was: 'because of both.'

12F.88 She was asked if Mahatma used to receive threatening letters in January 1948, her reply was in the affirmative.

12F.89 She stated that she was surprised, rather annoyed to see the same man stopping the Mahatma because he had been there in the morning, but she did not think there was any danger from the man because he had folded both his hands and she thought he was going to pay respects to the Mahatma. Nathuram Godse in his statement in court had stated he had his revolver in his folded hands. If that is so, it is surprising why nobody spotted it in the audience not even those leading the procession. (Nathuram's claim seems doubtful, I (the writer) have handled the Beretta semi-automatic pistol used by Nathuram. There is no way a person could hide the pistol in folded palms, it is too big and too heavy to be held that way. The likely scenario is that Nathuram first folded his palms, then lashed out at Manuben and in the same action pulled out the gun from his pocket and shot Gandhi.)

12F.91 Manuben is rather an important witness. She was closely related to the Mahatma and was closely associated with him. She was one of the

two girls who used to conduct him to prayer meetings and was slightly ahead of the Mahatma at the time of the murder. And when she makes a statement, no doubt after 21 years, that Nathuram came to Birla House unchecked and was shown the places where Mahatma slept, worked and had his meals and actually saw him sleeping in the grounds, the commission should be reluctant to disregard it.

12F.96 The Mahatma came to realise that the Congress was paying lip sympathy to non-violence and he was considered as a burden. Pyarelal whose power of observation and exactness is shown by the clarity of the narrative in his book, felt that in the Delhi Police there was infiltration of anti-Gandhi feelings and of pro-RSS elements.

12G.3 After the bomb incident, the number of policemen was increased and a larger force was stationed at Birla House. Ex.10 also shows that after the bomb incident, the number of policemen was immediately increased to one assistant sub-inspector, two head constables and sixteen foot constables. In addition to this, there were plain-clothes men, one sub-inspector, four head constables and two foot constables who were all armed with revolvers. Three plain-clothes men were stationed on the path leading from Birla House to the place where the prayer meetings were held, and a small detachment of troops for moving patrol all round the compound was also stationed.

12G.7 D.W. Mehra, D.I.G. Delhi, was personally present with Gandhiji when the later started his fast and Gandhiji talked to him about the steps to be taken to improve Hindu-Muslim relations. Because of the mental anxiety on account of Gandhiji's fast and four months of constant arduous labour Mehra fell ill with an attack of influenza on 16 January 1946 and was in bed for four days. In spite of that he went to Mahatmaji on 21 January and he resolved to attend all his prayer meetings. He again fell ill on the 24th and went to Birla House on the 30th after the great tragedy had taken place.

12G.8 It had also been decided that Superintendent of Police A.N. Bhatia should personally attend Mahatma Gandhi's meetings and he continued to do so but on the fateful day, 30 January, he was also absent due to the threatened strike of the CPWD.

12G.17 M.S. Randhawa, witness No. 18, has also stated that 'On account of the departure of Muslim police to Pakistan in very large numbers, the police organisation in Delhi was seriously depleted and policemen had to be

hastily recruited from the rural areas to fill the gap. They were not trained properly'.

12G.23 M.K. Sinha, when asked about the action which should have been taken after the statement of Madanlal, said: 'I still think that if adequate and prompt action had been taken to locate the persons described in Madanlal's statement, then the assassination should have been prevented. I had heard rumours when I was here that whispers about the conspiracy were current in Bombay and were even known to officials.'

12G. 31 Examined before the Commission, Bannerjee deposed to certain important matters which might be enumerated thus:

6.Neither Sanjevi nor Mehra had ever complained to him regarding inaction of the Bombay Police. It was at that meeting (on 31 January 1948) that Sanjevi had stated that he had sent to Bombay the confessional statement of Madanlal the substance of which was that Apte and Godse must have gone back to one or the other of their two or three haunts in Bombay.

8. Bannerjee said that even under the prevailing practice, Sanjevi should have discussed with him the bomb case but unfortunately the first time a copy of the statement of Madanlal was placed before him was at the meeting after Mahatma's funeral. Bannerjee himself had no detailed information regarding the grave offence of Madanlal before the meeting and it was for that reason that the Home Secretariat remained inactive.

12G.32 When recalled R.N. Bannerjee stated that the news of the bomb explosion reached him in Delhi the same evening when the bomb exploded and it was in the newspapers the next morning. His own reaction was, that it was an act of an individual fanatic and it never occurred to him that there was anybody behind it, although he did see in the newspapers that Madanlal's companions had escaped. Although they thought that the bomb was a serious matter, he did not interfere in the investigation, because it had been left in the hands of a very senior and high police officer who had come from Madras with a high professional reputation.

12G.34 Bannerjee said: 'It may be said that it was really the procedure, the working of the Home ministry which made it difficult for me to question Sanjevi in regard to the progress of the investigation'. This passage from his evidence shows that there was something wrong in the working of the Home ministry which had made the king-pin of the ministry, that is, Home secretary, rather ineffective. If the Home secretary could not question

Sanjevi in regard to the progress of the investigation it is difficult to imagine anybody else doing so.

12H. 4 G.K. Handoo, witness No. 48, stated that as the Hindu Mahasabha was influential all over the country and the Partition had produced communal feelings, he would, if he had been in charge of security, have got C.I.D. policemen from all the provinces where Hindu Mahasabha was strong and he would have stationed them on a special look-out in the prayer meetings.

12H.11 On 30 January 1948 Police Superintendent A.N. Bhatia was absent. Assistant Sub-Inspector Amar Nath came on duty at 4-30 pm The statement of Raghunath Naik P.W.76 in Court, who was a gardener, shows that the assailant was caught hold by him, by an army man and 2 police constables showing that the Police was present at that time.

12H.18 B.B.S. Jetley was questioned by the Commission as to how the viceroys used to be guarded when they went to a district or into a police range. He replied that the local police was not able to cope with the arrangements and plain-clothes and uniformed policemen had to be imported and deployed at all strategic points and the place where he was staying had to be heavily guarded. He also said that he went to Mahatma Gandhi and showed him the weapons which he had seized from the RSS and told the Home minister that something serious might happen from the RSS. What he meant was not particularly something happening to Mahatma Gandhi but even to the Central ministers like Jawaharlal Nehru and Sardar Patel.

12H.20A The statement of G.K. Handoo that Godse admitted to him that their next target would have been Prime Minister Nehru and the statement of J.N. Sahni that Nehru's life was also in danger find corroboration from an anonymous letter in Hindi to Godse while he was in police custody in Delhi. It bore the postmark of Bara Bazar, Calcutta, no doubt, of a date after the murder it is in the Intelligence Bureau File Ex. 224A at pp 77-78. It praises Godse for having murdered Mahatma Gandhi and is strongly anti-Nehru who was therein dubbed as a 'crusher of the Hindu community'. It ended 'May God, Jawaharlal Nehru finishes'.

12H.23 He was asked what arrangements should have been made after the bomb was thrown at Birla House. His reply was that protections of the nature given in the blueprint should have been given i.e. an inner ring and an outer ring should have been formed along with the spotters, searchers

from Bombay province for identifying any likely assailants. When asked what he would do in the case of Mahatma Gandhi who would have gone on a fast, he said why should he (Mahatma) have known anything about it. The police would have come from Bombay. The inner and outer rings would have been dressed exactly like Congress volunteers who would be around Mahatma and spotters could have been dressed as Malis and other domestic servants and nobody would have known about it. He also said that he would have made arrangements for a watch to be kept at railway stations, the air terminals. Terminal routes, dharamshalas and other places where people are likely to come and stay.

12H.25 With regards to the Mahatma he said as follows:

'In case of Mahatma Gandhi and his security—it appears that no well-defined or carefully planned security measures whether physical or internal had been made by the Delhi Police or Intelligence Bureau. Admittedly the main responsibility for asking and for detailed and careful security measures to be instituted was by the Congress Party— but if they failed to judge the seriousness and danger of the situation— it was undoubtedly the business of the Delhi Police or the Intelligence Bureau to do so—particularly after the exploding of the gun cotton slab by Madanlal on 20th January 1948, at Gandhiji's prayer meeting. Further—in view of Madanlal's statement made soon after the incident—it became imperative for the Delhi Police to immediately wireless Bombay and Poona (the I.G. Police Bombay and the D.I.G., C.I.D. Poona) to send over immediately a plain-clothes squad of intelligent and knowledgeable police officers who would help in identifying the Maharashtra youths who had conspired to kill Gandhiji.

'What again is most unfortunate—is the fact that the Bombay Police in spite of the knowledge they had of the danger to Gandhij's life and even after Madanlal's arrest—failed to offer sending their knowledgeable plain-clothes staff to help in identifying any of the Maharatta youth who had been described by Madanlal. If the Bombay or Poona policemen had arrived—and if they had been utilised by the Delhi Police properly and carefully in batches at the railway stations, hotels, dharmashalas, and political party head quarters as also at the entrance and exits of Birla House and the actual prayer meeting, it would possibly have made it much more difficult for the assassin to succeed and after all security is never fool-proof but is always an intelligence and a strenuous attempt to make it more and more difficult for the assassin.'

121.5 Rajagopalachari had added that whether the assassination was due to the payment of Rs. 550 million or it may be the result of a more ancient grudge but Gandhiji insisted that India should carry out its agreement and not start its career of independence by breaking promises. India would have lost moral power, Gandhiji would have died of a broken heart instead of by a Hindu's revolver, Rs. 550 million given away saved India's moral status and added to it.

Chapter XIII of the Kapur Commission's Report deals with the investigations in Alwar.

13.1 There was a very strong rumour across the country that Savarkar and his Kesari group amongst the Hindu fanatics had reached an agreement with many of the erstwhile princes of India to forge an alliance which would stage a coup d'etat and overthrow the democratic government and declare India a *Hindu Rashtra.* The princes would then form a council which would rule as the protectors of the *'Hindu Rashtra,'* Gandhiji's murder was to be the trigger. The Princes of Alwar, Bharatpur, Bhopal, Baroda, Gwalior were said to be a part of this conspiracy. The intelligence reports talked about a six hundred thousand strong cadre prepared to rise in revolt. Nagarvala's theory about core group of twenty each supported by twenty plus volunteers spread across the nation also ties in with this scenario. Many of the Raja's were smarting over the strong arm tactics used against them to accede to the Indian dominion, would have backed any scheme which would have ensured that they clung on to their feudal powers and control over their fiefs.

13.2 Ex. 96 dated February 10, 1948, contains a case diary of U.C. Malhotra who was appointed Chief Police Officer of Alwar State. The Case Diary No. 2 dated February 8, 1948, contains the following information:

(1) A printed poster in Hindi a handwritten copy of which is Ex. 105, incited the public to murder Mahatma Gandhi; to cut him into pieces and throw his flesh to dogs and crows. This was an anonymous poster and it was not discernible as to where it was printed.

(2) One Nathuram Shukla from Nagpur had visited Alwar towards the end of December 1947 and he delivered speeches from the Hindu Mahasabha platform. His description is given as being 5'-6" in height, wheat complexioned, small moustache, a good speaker in Hindi. This evidently does not fit in with Nathuram Godse's description. (It must be noted that there was strong suspicion that this person was indeed

Nathuram Godse, he could have used a disguise, or a sympathetic policeman could have written down a misleading description. What gives credence to the belief is that the police were never able to trace Nathuram Shukla, it was as if he had dissolved into thin air after delivering speeches in Alwar.)

(3) A foreigner disguised as a sadhu came to Alwar and stayed with Girdhar Siddha, the secretary of the local Hindu Ma hasabha. He had brought a letter containing a printed letter giving the news of assassination of Mahatma Gandhi. This news was out at 3 p.m. at Alwar whereas the assassination actually took place at 5.17 p.m. at Delhi.

(4) Sweets were distributed; Prime Minister Khare had addressed meetings pouring upon Gandhiji curses of a Brahmin. The Hindu Mahasabha and RSS were encouraged by Dr. Khare.

13.4 One Rikhi Jaimuni Kaushik, an editor of a newspaper, produced a printed article which contained the following information:

(a) Anti-Gandhi Front party in Alwar distributed a pamphlet in which Hindus were requested to fast and pray for the death of Mahatma Gandhi.

(b) The RSS at Alwar had distributed sweets and held picnics on Mahatma's assassination day.

(c) A few days before Mahatma Gandhi's assassination, Dr. Khare had said that he was Anti-Gandhi Front man.

13.16 Dr Khare was examined by the Commission he said that he was anti-Gandhi i.e., against his philosophy but not anti-Gandhi qua his person. He did not know if one of the Ministers extended full facilities to the RSS. The head of the RSS, Golwalkar, did visit the State when he was the Prime Minister and he attended his meetings because he was a Nagpur man. He might have addressed the meeting also. He condemned Gandhism at the meetings and 'Guruji' (Golwalkar) also did the same. When asked whether he had allowed the RSS volunteers to be trained in 'the Samant Infantry', he said he had no recollection.

13.24 Pannalal Choube, witness No.47, is now living in Mathura He was an informer of the C.I.D. right up to 1952. He stated that three months before the assassination Hakim Rai, the Home Minister of Alwar, called Parchure and Godse to Alwar. There was a private meeting at which he (Panna Lal) was present. Dr. Khare was also present and he said that he had

been unfairly treated by Mahatma Gandhi and in his opinion Mahatma Gandhi was a danger for India and something should be done in regard to him. Dr. Khare was President of All India Hindu National Front Alwar, which was vituperative and against Mahatma Gandhi.

13.26 Godse and Parchure visited the arms museum in the palace and they wanted to take away pistols from there. The curator helped them in getting them an old Mouser Pistol. It was taken but as it was useless it was returned by Godse and Parchure.

13.29 The conspiracy to assassinate was hatched at Alwar in which Dr. N.B. Khare took a prominent part. Dr. Parchure said that it was not in the interest of the country that the Mahatma should live and that Godse alone could assassinate Gandhi, Godse replied, 'Don't bother, I shall do the whole thing.'

13.32 Hakim Rai told him that Godse and Parchure were big leaders of the Hindu Mahasabha.

13.33 He did not think that Godse and Parchure would actually assassinate Mahatma Gandhi.

13.34 He did not inform anyone about Godse and Parchure except the police.

13.36 He met Godse twice—once at the meeting which was forthree hours and another time he met him in Delhi at the house ofProf. Ram Singh about one and half months before the assassination.

13.42 The Inspector General of Police of Rajasthan has in reply to the questionnaire stated that there was nothing to show in the record that Pannalal Choube was working as a police informer in Alwar State but sometimes used to get money from Inspector General and later on actually from some other police officers. Pannalal Choube was associating with Hindu Mahasabha but the police does not know that he was also associating with Raizada Hakim Rai.

The Kapur Commission disbelieved the testimony of Pannalal Choube. Its contention was that he was a police informer so the Commission thought that he could not have been trusted by the Hindu Mahasabha leaders to be able to sit in when such important topics as the murder of Mahatma Gandhi was being discussed. The fact remains that the testimony of a witness in Alwar states that Parchure and Godse were in Alwar in December 1947 looking for a handgun. When in the last week of January, Nathuram failed to procure a reliable handgun, he immediately thought of Parchure and

rushed to Gwalior, where he succeeded in procuring one of the most efficient hand guns for close range murder. The Berretta was bought with the help of Parchure. The incidents in Alwar and Gwalior cannot be brushed away as unconnected coincidences.

The commission next examined M.L. Hooja, Wit. 59, he was the assistant director of Intelligence Bureau in 1948. He had submitted a report on the activities of the RSS in the Alwar principality.

13.50 Hooja concentrated his investigation on two points (1) Possible connection of the local people in the conspiracy to assassinate Mahatma Gandhi and (2) patronage and assistance by the state to the RSS organisation.

13.51 There was considerable evidence of patronage and aid by the state to the RSS. Full facilities were provided for the training camp and rally in May-June 1947 of RSS officers. This was given under the direct orders of the Prime Minister Dr. Khare and the Home Minister Raizada Hakim Rai, apparently with the knowledge of the ruler. Both Prime Minister and Home Minister took prominent part in RSS activities and the Prime Minister was in constant touch with all its local activities and extended fullest patronage.

13.55 The investigation into the conspiracy leading to Mahatma Gandhi's assassination revealed that one Nathu Ram Shukla of Jabbalpur (elsewhere in the report he is stated to be from Nagpur) had come and stayed under state patronage and toured variou s parts of the State. It was suspected by people that he really was Nathuram Godse.

13.56 Investigation was unfortunately hampered by the fact that the local police was unreliable and even the I.G.P. was a 'staunch Rajput'.

13.58 Another report of M.L. Hooja dated February 23, 1948 restates that Nathu Ram Shukla was suspected to be the same manas Nathuram Godse.

13.68 The Commission appreciates the misgivings of the Government of India in regard to Alwar where all these activities were carried on which had a communal colour and an anti-Congress and anti-Praja Mandal leanings. Besides these, Dr. N.B. Khare himself had been rather intemperate in condemning Mahatma Gandhi, so much so that he resorted to the ancient cult of cursing and he did so against Mahatma Gandhi by issuing A Brahmin's Curse' Ex. 88 dated October 12. 1947. He has stated that he was opposed to Gandhiji's politics not his person. (While issuing a 'Brahmin's Curse' on Gandhiji it was not on his politics but aimed at the person.) He

denied any association of Godse or Parchure with Alwar. But police reports containing information no doubt collected after the murder have a different story to give.

13.70 Other documents show that on the Dussehra day on October 3, 1938 Dr. Khare hoisted a flag of open rebellion against Gandhiji and uttered a curse upon him and on his philosophy.

13.73 All this evidence put together shows that an atmosphere had been created in Alwar State which was anti-Congress and also anti- Gandhi; whether it was a purely anti-Gandhi movement is not easy to decide. However, Dr. Khare's antecedents and his encouragement to the RSS and to the militant Hindu Mahasabha leaders were indicative of conditions being produced which were conducive to strong anti-Gandhi activities.

Chapter XIV deals with the investigations in Gwalior. Here it needs to be noted that the investigating officer sent to Gwalior was the infamous U.H. Rana. Even after taking his time in travelling between Delhi and Bombay, Rana committed a series of blunders which resulted in a smooth passage for Nathuram Godse in murdering Gandhi.

14.1 Gopi Krishna Katarey who claims to have been an activepolitical worker in Gwalior for about 30 years stated in his affidavit,Ex. 91, that a month or two before the assassination of the Mahatmathere was a leading article in a weekly, which was the mouthpiece ofthe Hindu Mahasabha, that Mahatma Gandhi and Pandit Nehrushould be murdered, and that the Hindu Mahasabha received thefull patronage of the Government of Gwalior. He also said that abouta fortnight before the murder of Mahatma Gandhi a cheque ofRs. 65,000 was given to one of the accused in the Gandhi murder caseto regroup Goondas and purchase arms to launch a murderous attackon the Congress workers who were demanding responsiblegovernment in Gwalior and that it was out of this fund that the pistolwith which the murderer shot Gandhiji was purchased. When thesematters came to light Sardar Patel hushed them up because theMaharani of Gwalior 'beseeched for forgiveness'. He added that it wasa tragedy that the real criminals who masterminded the murder werenot tried.

14.4 The cheque referred to by him (Katarey) was given to Dr. Parchure. The Maharaja thought that the National Movement was a danger which should be fought. He, Katarey, had told Leela Dhar Joshi after he became premier of the state about the cheque and he said that he would consult Sardar Patel before doing anything. Subsequently, he was told that since the

Maharaja had acceded, no action was called for. The witness was externed for some time and after he returned met a person who was anti-Congress and was doing anti- Congress propaganda. He had got Godse's statement published and he said that it was financed by Sardar Angre's son. His name was Gokhale and he was from Poona.

14.7 Jetley, D.I.G., witness No. 55, had investigated into the Gwalior matters. He had gone to Gwalior because it had gone around that the Maratha Princes had something to do with the Maratha clique responsible for Gandhiji's murder.

Chapter XV deals with Poona. The commission has carried out a very detailed study of the situation in Poona from 1947 onwards. Poona was described as a stronghold of the Hindu Mahasabha. Out of the eight accused in the Gandhi murder case the principal four accused belonged to Poona, VR. Karkare was their close associate and VD. Savarkar, their mentor and inspiration.

15.14 The Bombay Provincial Weekly Letter, Ex. 155, of 5 July 1947, shows that there was a bomb explosion on 26 June 1947 in Poona city. The matter went up to the premier, B.G. Kher, and on 9 July 1947 his remarks were, 'was not the Editor of *Agranee arrested?* I would like to know progress.' On what basis the *Agranee* was brought in is shown by the statement of Morarji Desai that there was some information indicative of the editor's connection with such subversive activities. Upon this the Home Department, Bombay, sent an express letter, dated 12 July 1947, to the District Magistrate, Poona, Ex. 156, asking for progress of the investigation. It enquired whether the editor of the *Agranee* was also arrested in connection therewith, adding that the Government should be kept informed as to the investigation into the matter. After a fortnight or so of the letter, the District Magistrate, on 29 July, sent his reply, Ex. 157, about the bomb explosion and enclosed therewith a report of the D.S.P, Poona, dated 23 July 1947, Ex. 157A, in which the details of the bomb explosion of 26 June were given which were to the effect that N.R. Athawale, Secretary of the Poona City Hindu Mahasabha was arrested in connection with the bomb explosion; that he had made a confessional statement under Section 164 Cr.P.C. to the effect that the bomb (hand grenade) had been given to him by N.D. Apte of the *Agranee;* that he (Athawale) threw the bomb from the second storey of the library; that Athawale's house was searched but nothing incriminating was found; and that against Athwale and Apte

information was laid under section 4 of the Explosives Substance Act (Exs. 157 and 157A) and 'their trial was awaited'.

15.17 On 3 September 1947, the District Magistrate, S.G. Barve, gave sanction for the withdrawal of the case against Athawale and Apte under Section 494, Cr. PC. The public prosecutor was directed to put in the application for withdrawal which he did and the case was thus withdrawn.

This case is very important in connection with the Gandhi murder conspiracy. Later on under the Chapter dealing with Ahmednagar it is stated that the hand grenade used in Poona by Athawale who confessed that it was given to him by Apte, was from the same batch of hand grenades exploded at *Kapda Bazaar* in Ahmednagar in which the involvement of Vishnu Karkare and Madanlal Pahwa was suspected. Thus an association between Godse and Apte of Poona and Karkare and Pahwa of Ahmednagar was established. The bomb case also established the fact that Godse and Apte of *Agranee* were known to use arson as a technique of protest. But one more association going back by about over a decade which links this bomb explosion more closely to Mahatma Gandhi. Athawale in his confession had said that he was asked to toss the grenade from the second story of the library. In 1935 a bomb was thrown on the motorcade bringing Gandhi to the Corporation Auditorium in Poona. Gandhi was saved since the car carrying him and Kasturba was detained at the level crossing for a couple of minutes. When the lead car reached the auditorium it was assumed that Gandhi had arrived, the band started playing the welcome note, just then a hand grenade was thrown from the second floor terrace. This incident has been described by an eyewitness. The *modus operendi* in both the cases is the same and a person convicted in the murder of Mahatma Gandhi has been named in one of the incidents.

15.18 The Commission had before it the DSP of Poona as witness No. 38 and is not very happy about his evidence. He stated that the Agranee or the *Hindu Rashtra* did not preach violence and he had no knowledge if the *Agranee* was stopped. It never came to his knowledge that either Apte or Nathuram Godse preached violence or indulged in any illegal activities. But there is nothing on record to show what energetic steps, if any, were taken to make a thorough investigation into the origin, possession and use or misuse of the bomb.

After this the Commission has made a very startling charge showing the attitude of officialdom towards the Kapur Commission. At the end of Para

15.20 of the report it is mentioned that—'And although officers of the Commission were able to make a successful search in the Record Rooms of the Delhi Collectorate, they were unable to do so in Poona and Ahmednagar'.

15.28 In two issues of the Agranee and the *Hindu Rashtra* there is a clear indication of incitement to violence. In Ex. 233-A the issue of *Agranee* dated April 12, 1947, one of the captions is 'Mahatma Gandhi, Commit Suicide' and epithets like 'his cowardly philosophy', 'his cowardly and worthless non-violence' were used towards him. He was also called 'Sokaji' and it was said that he should commit suicide. If not he should bid good-bye forever to Indian politics.

15.29 In the same issue of the *Hindu Rashtra,* Ex. 233 of September 7, 1947, it was said, 'And if anyone has really the urge for *Akhand Hindustan* (lit. Undivided India) and if a feeling of sacrificing one's own life for its sake has been created, then do not strike at a wrong place! The flood of Indian bravery will in no time integrate the whole India into one'.

15.30 All this shows that the writings in the *Agranee* or the *Hindu Rashtra* were strongly anti-Gandhi but were so worded in Marathi so that they did not come within the purview of the Indian Penal Code, i.e. incitement to murder.

15.31 There were some speeches made which were also inflammatory. Dr. Parchure in his speech, Ex. 131, said that 'Gandhiji and Nehru will surely reap the fruits of their sins in a short time if the attitude assumed by them is continued'.

15.32 At another meeting on the following day, i.e., December 3, 1947, Ex. 206, G.V. Ketkar presided and he said that they should consider Gandhiism-cum-False Nationalism as their enemy No.1. This speech by Ketkar also shows his attitude towards Gandhi's philosophy though it need not be termed as being against Gandhi himself.

HINDU RASHTRA DAL

15.34 In 1942 an organisation known as the *Hindu Rashtra Dal* was formed with V.D. Savarkar as its dictator (Ex. 34 dated 1 August 1944) and its original organisers were Date, Gogte, N.D. Apte and N.V. Godse. The aims and object of the movement were the furtherance of the Hindu Sabha activities. This document also shows that in May 1943 Apte and Godse organised its second annual training camp at which volunteers from various

Maratha districts, Bombay city and Maratha Indian states such as Sangli, Miraj and Indore were present. It also shows that Savarkar was the chief architect and force behind the Dal. He laid down the policy and exhorted its volunteers to show and give implicit allegiance to him as the sole director.

15.36 On May 22, 1947, ex. 54, a document which deals with the Hindu Rashtra Dal was issued by Rao Saheb Gurtu, for D.I.G., C.I.D. Poona to all D.S.Ps. and district magistrates, the objective of this document was to warn the district authorities against the attempts to revive and to revitalise the Dal. There was a meeting on 3 July 1947 in the Tilak Samrak Mandir (Ex.112) under the auspices of the Poona City Hindu Sabha , where about 5000 persons were present to observe the anti-Partition Day as a 'Kalaa Divas' Black Day. L.B. Bhopatkar of Poona presided. The speakers included G.V Ketkar and N.V. Godse besides other local leaders of the Hindu Sabha movement. Ketkar expressed his gratification at the successes of the observance of the Black Day and Godse said that the time for action had arrived.

15.38 On 8 August 1947 a letter, Ex. 113, was issued by the government to the D.I.G., C.I.D., Poona and the commissioner of Police, Bombay asking for the list of officers and members of the RSS and leaders of Hindu Mahasabha organisations and directing them to keep a strict watch on the operations of these two movements and send reports regarding that matter. This appears to be based on the note of B.G. Kher and Desai, Ex 177, dated 7th August 1947. Pursuant thereto a list was prepared and sent on August 19, 1947, Ex.114.

15.39 Likewise a similar list, Ex.ll4A, was prepared about Ahmednagar, which is a very important document. Amongst the Hindu Sabha workers at Poona there were N.V. Godse, N.D. Apte, the later shown as potentially dangerous and a staunch Savarkarite organizer of the Hindu Rashtra Dal, the activities of the former were of a similar nature. Other members were G.V. Ketkar, also a staunch Savarkarite, editor of the *Maratha* and a trustee of the Kesari Maratha Trust and described as the brain behind the Hindu Sabha activities. Another member was N.R. Athawale shown as a co-worker of N.D. Apte potentially dangerous who was arrested under Section 3 of the Explosives Substances Act. Another person was D.R. Badge who is shown as proprietor of the Hindu Shastra Bhandar dealing in unlicensed weapons, a staunch Hindu Mahasabharatha and against whom there were two prosecutions under the Arms Act and was potentially dangerous. There

is also another list of the Poona District Hindu Mahasabha leaders. That also includes N.V. Godse, N.D. Apte, G.V. Ketkar, N.R. Athawale and several other Maharashtrians.

15.40 Even at the expense of repetition it may be stated that this is a document which would show the close association of Apte, Godse, Badge and others with an active Savarkar Group which is really repetitive of what the documents relating to 1942 and 1944 showed. The association was thus old.

JAYPRAKASH NARAYAN'S SPEECH:

15.44 On November 26, 1947, a meeting was held in Kirkee Bazaar attended by about a thousand persons. It was addressed by Jayprakash Narayan, the Socialist leader (Ex.122). In this speech, Narayan wanted the arsenal and ammunition factory workers to know the then prevailing politics. He said that the Muslim League had achieved Pakistan at the cost of the poor Muslims and that the rich capitalist Mohammedans had run away to Pakistan. He exhorted others not to drive away the Muslims and thus create more enemies and that it was the rulers of Indian States, the Rajas and Maharajas, who were trying to create trouble amongst Hindu and Muslim labourers in order to strengthen their own position. Further that the Army personnel were citizens of the country and had a right to take part in politics. He described the evil of communalism which according to him was still prevailing in the Army which he deduced from rioting and killing which was being done by the Armed forces. This is a matter upon which the Commission is not called upon to express its opinion but perhaps the Defence Forces would not relish this accusation against them.

PARCHURE'S SPEECH:

15.45 There was a meeting in the Tilak Samrak Mandir, Poona on2 December 1947 (Ex.131). The Chief Speaker was Dr. D.S. Parchure of Gwalior who was convicted in the Gandhi Murder Conspiracy Case but was acquitted on appeal. He was described as a second Savarkar and that so great was his influence that on every mosque in Gwalior flew the Bhagva flag. In his speech Dr. Parchure, after referring to the state of affairs in Gwalior, advocated the use of force to achieve whatever they wanted. He also said that Gwalior Army was full of Muslims who were in a majority

and that the State was increasing the Muslim elements and that the Adviser Srinivasan had advised the Ruler that Parchure and his followers 'were like dogs'. The trend of the speech was anti-Congress and extremely anti-Muslim. He criticised Pandit Nehru's policy as regards Kashmir and pointed out the quiescence of Hindus in the face of Mohammedan aggressiveness. In the end he made a significant remark, the importance of which was perhaps not then appreciated, that 'Gandhi and Nehru would surely reap the fruits of their sins in a short time'. This speech was made in Hindi and because there was no Hindi shorthand reporter in the police, it could not be taken down verbatim and was reproduced from memory by the police reporters who were present. When a report of this went to Government they wanted a more authentic report of the speech but there could be nothing better because of the speech not being in Marathi.

KETKAR'S SPEECH:

15.47 on 3 December 1947, there was a meeting presided over by G.V. Ketkar (Ex. 206). In this speech he described Gandhiism as enemy No.1 showing thereby that his attitude of mind was not very different from that of the other members of the Savarkar Group in regard to Gandhian philosophy. Of course, it does not mean that he was equally a votary of violence or protagonist of murder.

15.48 An abstract of intelligence (Ex.121) dated 27 December 1947, shows that on December 18, the Poona Police raided the house of R.J. Deshmukh who had close contact with R.S. Khanolkar and recovered from there stengun cartridges, rifle cartridges, revolver cartridges, bombs and hand grenade shells and also a bottle containing arsenic tri-chloride, an explosive substance. In connection with this find five persons were arrested and investigations made but the second paragraph of the report states that the collection of arms and ammunition was to facilitate the people in the Hyderabad struggle which, it appears, was a handy cover for the collection of arms by this group of people to which Godse etc. belonged and was an easy façade to hide their real intentions and objectives.

15.49 On 22 March 1947 on the eve of New Year's Day, (Hindu Calendar) *Gudi Padva,* an objectionable pamphlet, Ex. 265A, advocating terrorism of Savarkar type was distributed at the Railway Stations, Shivaji Nagar and Dehu but the police could not discover where they were printed and who distributed them.

GOPAL GODSE:

15.50 Gopal Godse, witness No. 33, has published certain articles regarding the murder of Mahatma Gandhi. In Ex. 56 in the monthly journal, the *Painjan*, of August 1966, he said that it was difficult for the officials to think that a person who had failed once to assassinate Gandhiji would not dare to make another attempt because of the arrest of one person and the likely arrest of others within a few days and a strong cordon of security men around Gandhiji. He has added that there was complacency shown by security police in carrying out investigation between 20th and 30th January 1948. 'The police miserably failed to derive any advantage from the statements, i.e. of Jain and Madanlal. If only they had shown keenness in investigation the tragedy would have been avoided. In spite of all the precautions there are things such as luck, chance or suitability of circumstances. A person gets an opportunity many a time just by luck.'

15.51 Ex. 57, issue of that journal of September 1966, deals with the subject when the plot could have been hatched. The issue of November-December, 1966 of that journal is Ex. 55 under the heading 'Gandhi Murder and Maulana Azad'. Gopal Godse has said that Nathuram Godse did not like the murder of Gandhiji and both he and Apte would have laid down their lives to prevent Partition and to protect the life of Gandhiji and he blamed Maulana Azad for creating trouble between Sardar Patel and Pt. Nehru through, as it were, Gandhiji. He blamed Maulana Azad for being the author of the conditions which were laid down by Mahatma Gandhi for breaking his fast.

REPLY TO JAYPRAKASH NARAYAN'S SPEECH:

15.53 Ex. 71 is the report of the proceedings of the meeting of the Hindu Mahasabha at Shivaji Mandir held at 6.30 pm on November 28,1947, where about 2000 people were present and the speakers were V.B. Gogte and N.V. Godse and the subject on which speeches were made was 'Hindu Nation and Jayprakash Narayan'. The speakers twitted Jayprakash Narayan about his socialism and ridiculed his attack on the Hindu Mahasabha and the RSS and accused the Socialists of hypocrisy and also spoke about atrocities of Muslims on Hindu women and accused the Socialists of helping in the creation of Pa kistan and the Partition of India and its consequences.

15.54 They also protested against handing over Kashmir to Sheikh Abdullah taking it away from a Hindu King. It was also said there that the RSS and the Hindu Mahasabha were accused of conspiracy to murder Pt. Nehru. There was also a reference to Mahatma Gandhi.

STATEMENTS OF WITNESSES IN POONA

15.63 N.M. Kamte, retired Inspector General of Police witness No. 4 was examined thrice by the Commission and once before Pathak. He stated that Hindu Mahasabha movement did exist in Poona but he could not say if it was a strong movement. Its aims and objectives were to unite the Hindus and protect their interests and there was antagonism between the Hindu Mahasabha and the Congress. The Hindu Rashtra Dal in Poona was lead by Chitpavan Brahmins.

15.64 Although the Hindu Mahasabha was not very much excited about the Partition, it was excited when the news of what was happening in western Punjab came.

15.67 He read about throwing of the bomb in the newspapers. Nobody informed him about that fact. He could not connect Madanlal with any person in Poona nor could he say if the Poona Police knew that Madanlal was living in Ahmednagar. Kamte did not know Prof. Jain. Between the explosion of the bomb and the murder of the Mahatma he did not know what the conspirators were and he had no reason to suspect Poona people being involved in it. The first time he came to know about this fact was when Sanjevi telephoned him about the murder on January 30, 1948 in the evening.

15.69 The Poona Police were not associated in the investigation from 20th to 30th January 1948 excepting that Rana was in Delhi and had been given certain information and also a copy of Madanlal's statement dated 24 January 1948 which was shown to him (Kamte) by Rana a day or two after the murder.

15.74 Immediately after he got information about the murder he sent for Rana and asked him for the statement of Madanlal which Rana showed him. Kamte then asked him why he had not taken immediate action, come to Poona and informed Gurtu. His reply was that he was waiting for Inspector Angarkar who was then on leave. Kamte did not think that the Poona Police was sympathetic towards the conspirators or the RSS.

15.78 He (Kamte) first said that he did not know that the intention of the conspirators was to kidnap Mahatma Gandhi. He knew nothing about the facts contained in Nagarvala's letter to Sanjevi dated 30 January 1948. Ex. 8. Then Kamte added that he had a faint recollection 'that Nagarvala may have told me about the theory of kidnapping'. He thought that it was a fantastic theory.

In answer to another question he said: 'The vigilance will depend on the suspicion against the persons concerned. In this case, the suspicion was not of murdering Mahatmaji but the suspicion was that there were people in Poona who were against Mahatmaji's idea of giving 55 crores (550 million) to Pakistan. If Gurtu had learnt about Madanlal's statement, he could easily have come to the conclusion that these are the people who were conspiring to murder Mahatmaji.'

15.82 .... Had he (Kamte) known that the people in the conspiracy were from Bombay province he would have placed 20 or 25 persons from Bombay around Mahatma Gandhi to see that the conspirators did not get anywhere near him. Godse etc. were known to the Poona C.I.D. There must have been good reason why they were not shadowed. Once a man was in a list called the Black List, he was shadowed for 24 hours. As the names of Godse etc. were not in the List it means C.I.D. did not know that they were dangerous.

This seems to be a very curious stand. Less than six months previously Apte was an accused in a bomb attack in Poona. Godse was known to be a close associate of Apte and yet all the policemen keep saying that they did not think that these persons were potentially dangerous.

15.84 In cross examination he (Kamte) said if the statement Ex. 1 had been shown to him earlier, he would have got those persons mentioned there shadowed and kept them under constant watch. If the statement showed that there was a conspiracy to murder, he would have asked the police to arrest them at once and had he been told that one was an editor of the Hindu Rashtra, Poona and the other the owner of Shastra Bhandar, he would have been able to find out at once through his subordinate staff as to the identity of those persons. Before the murder he had not heard of Apte or Nathuram Godse. If he had arrested them, he might or might not have put shadow on their close associates.If hehad arrested them, he might or might not have put shadow on their closeassociates.

15.87 In his letter to Sanjevi dated 20 April 1948, Ex. 97, Kamte had complained about Rana's bungling. He said that his intention was to make Rana realise the desirability of taking steps immediately. He got a copy of Madanlal's statement and his desire was that Rana should not commit a mistake like that again. It shows that in the opinion of Kamte, Rana bungled in not making any use of the statement of Madanlal which had been handed over to him in Delhi on 25 January 1948. But will there be another Gandhi to be protected?

U.H. RANA, WIT. 3

15.90 U.H. Rana, D.I.G., CID witness No. 3 when examined on 7 February 1967, stated that he was called by Sanjevi on the day following the explosion and was told that Madanlal had given certain information showing that his companions were from Bombay side but it did not disclose where they belonged to. He had not stated that they belonged to Poona but he had mentioned Savarkar. Rana was also told that Madanlal had said that one of them was a Sadhu with a beard and another was his servant named Shankar and the third was an editor of a newspaper and he did not say where the newspaper was published. Since Savarkar was mentioned, Rana at once concluded that they must be Savarkarites.

15.94 During the time that he was D.I.G., C.I.D., Poona, he did not hear the story of Godse and others going to Panchgani. Nothing of importance came to his notice about the activities of Nathuram Godse or of Apte or of Badge or of their group, nor that they were directed towards violence. The police reporters whose duty it was to report proceedings or the speeches of the meetings addressed by politicians did not make any such report. These persons were not on the Black List to be shadowed. Nor did he know that the Kesari Group was a militant group. He did not know that G.V. Ketkar, Bhagwan and others were connected with the Hindu Mahasabha.

15.97 He had no knowledge of Karkare and Madanlal having been ordered to be detained. When asked if he had seen the report of Sub-Inspector Balkundi dated 4 January 1948, Ex. 66, about Karkare and Madanlal, he replied that he must have seen it because there was his endorsement dated 14 January on it. But it was not within his province to recommend or not to recommend detention. They were not persons with provincial 'reputation'. He was not camping at Ahmednagar in January but the A.D.I.G. (Crime) was.

15.99 Rana was then examined in regard to various bomb incidents at Ahmednagar and he said that he had seen the reports and sent Inspector Razak on 12 December 1947. If written reports were sent in regard to Ahmednagar incidents and his initials are on them, then he must have seen them. He was shown the report of Inspector Razak about the activities of Madanlal etc. but he said that it did not come to his notice but it might have come to his office. Nor did he know that Karkare was holding conferences with Apte and Godse. According to what he knew, neither Godse nor Apte were of provincial or interprovincial importance. It was not reported to him that Godse and Apte were meeting Karkare in Ahmednagar.

15.100 He had not seen Ex. 67, the report of Sub-Inspector Balkundi dated 29 January 1948 about the identity of Madanlal. If the D.S.P. had received any information in regard to Madanlal in the ordinary course he should have sent it to him. There were violent activities in Poona and Ahmednagar but there was nothing to show that they were anti-Gandhi. They were anti-Muslim.

15.106 When asked about the statement of Munshi about the Poona School of thought led by Savarkar, he said it did exist but there was no information that its violence would be directed against Mahatma Gandhi nor did he know that the Kesari group was against Mahatma Gandhi.

15.110 Rana said:—

'I saw Sanjevi at about 9.30 am or 10.00 am. He said that Madanlal had started talking and the latter stated that he came from Bombay; met Savarkar; and also gave the name of one Karkare and mentioned one Sadhu who had a servant. Sanjevi did not give me the name of the *Agranee* or its proprietor or editor or the name of *Hindu Rashtra,* its proprietor or editor. I would like to repeat that he (Sanjevi) did not mention the names of either newspaper—*Agranee* and *Hindu Rashtra*—or their proprietors or Editors.'

15.112 In the statement of Madanlal which he brought to Bombay, the name of the *Agranee* or the *Hindu Rashtra* was mentioned. There was also mention of the editor and the proprietor. There appears to be some confusion in the witness's mind as the name *Agranee* is not there. He did not telephone to Poona from Nagarvala's house because Nagarvala told him that there was a big organisation and they wanted to make simultaneous arrests and Nagarvala's information was that they wanted to kidnap Mahatma Gandhi. Therefore, he did not inform his office in Poona to take any precautions in regard to the Editor of the *Agranee.* Besides, he was

going to Poona next morning and he thought he would take action when he reached there.

15.114 He did not think that the culprits would return immediately to put their design into operation. Sanjevi was also of the same opinion more particularly because one of them had been arrested.

15.117 Rana was asked a specific question whether the culprits were known to the Poona CID as being persons who were likely to take part in violent activities. He replied:—

'I can now say that amongst them Apte, Godse, Karkare, Athawle and Badge were the potential mischief makers who were taking part in violent activities.'

15.118 He was then asked if the sending of Bombay Police would have averted the catastrophe. He replied that there were too many assumptions in the question, that the same person would commit the offence, that they would select the same place or that the men sent there would be able to identify them. He said that up to the January he did not know that Madanlal had named any other persons excepting Karkare and Savarkar. He was not told that Madanlal had made a statement to the police on the midnight of 20 January 1948. Sanjevi did tell him that Madanlal had other associates on Bombay side and one of them was a Sadhu wearing a beard but he did not say that amongst them one was a manager or editor of the *Rashtra* newspaper nor did Sanjevi say that Madanlal had given descriptions of six companions as his co-conspirators.

15.121 He did not leave Madanlal's statement with Nagarvala because (1) Nagarvala already had the information from Home Minister, (2) He had been informed about Karkare and Savarkar, (3) Nagarvala had nothing to do with Poona, and (4) He himself was going to Poona the following day and he would take action himself.

The next day, Rana conveniently developed fever and so he decided to postpone his return to Poona.

15.128 He (Rana) went to see the Home Minister on the 28th morning. His object was to find out who his informant was which Nagarvala had not been able to get. If the identity had been given, it is possible that they might have been able to find out something more. He reached Delhi after the murder on 2 February. He did not know anything about Sathe who was mentioned by Mrs. Barve.

15.129 In cross examination he (Rana) said that when he went to Sanjevi on the 21st there were some other police officers cne of whom was Rikhikesh and the other was Bhatia who were investigating officers in the Bomb Case. Neither of them had a statement of Madanlal with them and the talk was oral, no document was referred to and nobody mentioned the editor of *Agranee* or *Hindu Rashtra* or any newspaper nor was he asked by Sanjevi to find out about any newspaper nor was he asked by Sanjevi to find out about the editor of a newspaper. He was told that Madanlal had mentioned there persons—Karkare and a Sadhu and his servant, and the other companions were Marathas from Bombay side. As soon as Marathas of Bombay were mentioned, He (Rana) suspected Savarkar and his group. He mentioned Bombay to Sanjevi because Savarkar resided there and Poona because it was the stronghold of the Hindu Mahasabhaite group. He had not heard that the officers going to Bombay had taken a precis of Madanlal's statement. He was told that Madanlal's statement was in Urdu; it was being translated to help him and the Bombay Police in the investigation in Bombay.

15.131 From the fact that Sanjevi knew that he (Rana) was travelling by train, he must be under the impression that because one of the conspirators had been arrested, the others were not likely to come back soon to commit any further offences. Sanjevi told him that it would be sufficient if he took necessary action on reaching Bombay and Poona and that he should proceed cautiously and secretly and round up the whole lot in one sweep. On the 25th Sanjevi told him that one of the conspirators was an editor of a newspaper, but he did not mention the name of the person or the place of publication of the paper.

15.136 Nagarvala also told him that he had made inquiries from Ahmednagar and was told that Karkare was no longer there and he had posted his men to be on the look-out for Karkare in Bombay and he also wanted some Police officers from Poona to identify Badge, a known trafficker in illicit arms. Nagarvala told him that his theory was that the attempt was to kidnap Mahatma Gandhi. He had concluded this on the basis of the information he had from his informers. Nagarvala told him that there were 20 principals and each one of them had a lot of persons working under them and Nagarvala believed that information to be correct.

15.137 When Nagarvala was speaking 'and I was listening to him and Asking him some questions also about it. I did not think this theory to be

fantastic; on the other hand I asked him to inform theD.I.B. on telephone.'

15.141 When he went to Poona he asked for Angarkar but he was ill. Then he asked for Deulkar but he also was not available being away in Alibaug and he was called back immediately by wireless. Rao Sahib Gurtu knew the names of all the culprits mentioned by Madanlal. Other officers were available in Poona but he (Rana) only wanted Angarkar or Deulkar because they were the only ones who knew the names of the associates of Karkare and their hide-outs. He did not ask anyone about the presence of those persons in Poona. Subsequent inquiries showed that when he reached Poona, Apte and Godse were not there and he himself did not know the whereabouts of Badge. He learnt that Karkare was called Maharaj. After the murder Sanjevi asked Kamte to send some Police Officers from Bombay and they were sent by military plane on 31st January but he did not know who they were. That was because there was a fear that Central Cabinet Ministers would also be attacked. When Rana was sent back to Delhi to supervise the investigation he stayed with Sanjevi and on the morning of the third day they had a talk with each other but Sanjevi did not tell him that Nagarvala had proceeded on wrong lines.

RAO SAHIB GURTU. WIT. 22.

15.146 Rao Sahib Gurtu, witness No. 22, was the assistant D.I.G., C.I.D. at Poona. He stated that the D.S.P. Ahmednagar made a reference towards the end of 1947 or thereabout about Madanlal who had addressed a meeting of refugees which had resulted in disturbances. The witness also knew about Karkare who was a prominent Hindu Mahasabha leader in Ahmednagar.

15.147 Reports used to come in about the communal activities of the group consisting of Nathuram Godse, Karkare, Apte and Badge and several other persons whose names he could not recollect, but they went under the name of Hindu Sabha Movement. There were reports that bombs were being prepared by some of the workers of the Hindu Mahasabha Movement but not that they intended to murder Mahatma Gandhi.

15.153 The witness was shown an intercepted letter of Karkare (Ex.43) which was addressed to various newspapers in Poona for publication. He said he must have come to know about it as it bore his endorsement. He knew about the orders for the detention of Karkare but could not say why they were passed.

15.154 Activities of Godse were also being watched by the police but it was not a continuous watch so as to prevent his eluding it. If any name had been given to Poona Police, it would have taken steps to apprehend them. He could not remember having any talks with Nagarvala during the period 20 January to 30 January 1948. If the witness had been told that one of the persons mentioned by Madanlal was the editor of *Agranee* or the *Hindu Rashtra*, he would have arrested him at once. When he was asked how he would have arrested persons named by Madanlal when warrants on Karkare could not be effectively served, his reply was that that was being done by the District Police and not by the CID.

15.155 In his cross examination he stated that reports were sent every week to amongst others, the D.I.B. by the D.I.G. compiled from the reports received by the D.S.Ps. and that these reports contained the names of Godse, Apte, Karkare, Savarkar and Dr. Parchure of Gwalior. Although from 15 August 1947, a watch was kept by the local police on certain Hindu Mahasabha and RSS workers, the watch was discontinued in November 1947.

PRAVINSINHJI VIJAYSINHJI, WIT. 38.

Witness No. 38, Pravinsinhji Vijaysinhji, was D.S.P. of Poona between July 1947 and May 1949 and subsequently rose to be the Inspector General of Police of Bombay. His deposition shows that in the middle of 1947 communal violence in Poona City was running very high because of the Partition and the feeling against Muslims. The prominent Hindu Mahasabha workers then included Bhopatkar, Abhyankar, Apte, Nathuram Godse and G.V. Ketkar but their activities were confined to being anti-Muslim. There was no overt attack against the Muslim League or against the Muslims; although they carried on propaganda against the Congress because it agreed to the Partition and there was strong feeling against Mahatma Gandhi as being the main architect of the Partition. There was no overt attack against them.

15.165 A specific question was put to the witness about the July speech of Nathuram Godse in which he said that secret organisations should be formed and revolutionary methods resorted to and he had hinted that the time had come to do away with the top ranking Congress leaders or that Gandhiji and Nehru being thorns in the establishment of Hindu Rajya should be removed, and his reply was that it did not happen during his time.

He was a reader of the *Kesari* and he heard nothing about the activities of Apte or his taking part in the bomb explosion. At no time did it come to his notice that Nathuram Godse or Apte were indulging in illegal activities.

15.167 This witness knew nothing about Sathe who was mentioned in the statement of Mrs. Barve. If Barve had the information that Poona people had gone to Delhi to murder Mahatma Gandhi, he would certainly have passed it on to him (the witness). The Police was quite vigilant and tried to keep itself informed of the activities of every person who was likely to resort to violence. But it had no knowledge about what Apte and Godse were doing.

15.170 Coming to Hindu Rashtra Dal, the witness stated that a circular was issued to watch its activities and the activities of its members but he could not remember who its members were.

It must be noted that Pravinsinhji Vijaysinhji, characterised the Bomb explosion in Poona, in which Athawale and Apte were detained, as unimportant since, according to him, it was not targeted at any specific person. The fact that the bomb injured a young boy and damaged a vehicle and was exploded in a central part of the City was not of concern to him.

G.P. ANGARKAR. WIT. 68

15.187 Deputy Superintendent of Police G.P Angarkar, witness No. 68, was in the Intelligence Branch during the relevant period July 1947 to end of January 1948. Police shorthand reporters sent the proceedings of meetings to him and he sent them on to higher officers. Amongst those whose speeches had to be reported were some Hindu Sabha workers but there were no RSS workers in the list. Amongst the former were Barrister Savarkar and L.B. Bhopatkar. Savarkar was the President of Hindu Mahasabha, Nathuram Godse was a kind of a bodyguard of him but was not particularly prominent. Apte was at one time a Government servant and an honorary recruiting officer in the Indian Army in Ahmednagar. (Apte was actually a honorary recruiting officer for the Royal Indian Air Force in Poona during the Second World War) Badge had a *Shastra Bhandar* which was raided several times. Reports were sent to other districts also in regard to Badge when he sent any arms to those districts. But he was not considered dangerous and, therefore, his absence from Poona was not noticed.

15.196 The policy of the *Agranee* was anti-Gandhi and anti-Congress and the paper was pronouncedly a communalist paper.

15.199 After the Partition there was Hindu Muslim tension in Poona also. He could not say whether the recovery of arms had anything to do with the Hindu Mahasabha. After the arrest of Baba Saheb Paranjpe the witness came to know that the weapons were being sent to Hyderabad. They came to know about the connection of the Hindu Mahasabha with the arms when an account book was found in a raid. Apte and Godse were not arrested because they were not in the house where the raid was conducted.

15.203 List of dangerous persons who were to be watched was made by Government or by the C.I.D. They kept a watch also over persons whom they thought dangerous and were not in the list. Badge was one of them. He was watched because he was dealing in arms. One man stationed to watch his movements was to watch the movements of others also. He used to find out who visited him and where he himself went.

15.204 Badge had a distinguishable appearance. He had a long beard and long hair. His house was searched a number of times. He was considered dangerous in the context of Hindu Muslim tension.

15.205 Apte's house was searched twice in 1947 and Nathuram Godse's once.

15.206 If he had known that the editor of the *Agranee* was in the conspiracy of bomb throwing at the Birla House, he would certainly have arrested him and if he was not in Poona he would have tried to find out his whereabouts and then tried to follow him. If he had known that he had gone to Bombay he would have trailed him there. He would have tried to trace him wherever he was and even followed him to New Delhi. If he had known that Godse was one of the associates of Madanlal he would at once have connected Apte with him because they were great friends. Athawale would also have been considered as an associate.

15.207 Khadilkar, M.P. had stated before the Commission that Inspector Angarkar used to be 'amongst them', i.e., he was quite friendly with them and knew everything and, therefore, he did not make any report to the police about the danger to Mahatma Gandhi's life.

15.214 He had no information in July-August 1947 that Gandhiji's life was in danger. Khadilkar may say so but the witness had no such information.

K.M. MUNSHI, WIT. 82

15.218 KM. Munshi, an eminent Advocate, who has held every kind of high office in the Government and become a well known Congress leader, stated in his deposition (witness No. 82) that there was a group of political thought against Mahatma Gandhi, compendiously known as the Kesari Group.

15.219 This group was led by Savarkar who advocated violence ever since he was a student and believed in political assassinations.

15.211 A C.I.D. report at page 18 of I.B. file No. 8/CA/48-II shows that the Kesari Group were something different from what may be called the Savarkar Group. This document shows that when by August 1943 something like Rs. 2,19,514/- were collected as purses to V.D. Savarkar, the Kesari Group became apprehensive that Savarkar may ultimately eclipse Lokmanya Tilak.

15.222 As a result of this conflict in political methods in the 'Kesari' school of thought in Maharashtra personal prejudices against Mahatma Gandhi resulted. But due to a flood of emotional patriotism resulting from Gandhiji's 'Quit India' Movement and the inability of anyone to withstand its influence, nobody was prepared to take the odium of anti-Gandhism. But Savarkar never lowered his flag; he continued to believe in political assassination. However, he remained quiescent and retreated into the background while the country was being swept by the 'Quit India' Movement of Gandhiji. There was in the Kesari School of Thought a certain section of people who genuinely believed that Hindus required a strong organisation to meet Muslim aggressiveness and were apprehensive of the weak kneed policy of the secularity group.

15.223 The witness further stated that Partition was inevitable under the circumstances created in the country; but Gandhiji was opposed to it resulting in strained relations with Jawaharlal Nehru and Sardar Patel. Munshi was of the opinion that had India not been divided at that time, there would have been civil war at all levels resulting in street fighting in every town and also amongst the Defence Services and the police; but in North India the feeling continued to exist amongst the Hindus in general that Mahatma Gandhi was responsible for the Partition. The feeling of the Hindus throughout was that if the Mahatma had not appeased the Muslims by conceding Pakistan, Hindus would have been spared the miseries to which they were subjected.

15.224 This is, in the opinion of the Commission, a fair and correct assessment of the political thought at the time in the country as a whole in general and in Maharashtra in particular and also in northern Provinces of India. This has been discussed at this stage with the happenings in Poona because Poona was the centre of the Kesari Group and of the activities of the extreme Hindu views which existed in the Maharashtrian districts round about Poona. The Commission will have very much more to say and other evidence to discuss both oral and documentary in this connection. But it would suffice to say that there was a strong anti-Gandhi feeling amongst the hands of the Kesari group. In that case, Savarkar was tried as a member of the conspiracy but was acquitted. It has been stated before the Commission that the inspiration came from Savarkar and he even patted Madanlal for what he was proposing to do.

MRS SARLA BARVE, WIT. 39

15.225 Mrs. Barve, witness No. 39, in her written statement, Ex.72, said that her husband who was the District Magistrate of Poona did come to know about the illegal activities of the Hindu Mahasabha members and that is why a watch was kept on their activities. She accused the authorities of not taking any proper notice. The throwing of the bomb on the 20th January 1948 was, according to her, a precursor of something very serious, e.g. murder. She also stated therein that her husband did know something about the impending trouble at Delhi and for that reason he telephoned Morarji Desai and informed him about it.

15.226 She stated that two or three days before the murder of Mahatma Gandhi a man called Sathe came to their house but as her husband was not present he told her that some Poona people had gone to Delhi to take the life of Mahatma Gandhi. She had repeated that story to her husband. She asked Sathe where he lived and he said, 'Sadashiv Peth' and that he was a retired schoolteacher.

15.227 On the 27th January 1948, she found her husband rather restless. He telephoned Kamte, Inspector General of Police, after asking her to go out of the room. A little while later she told her husband what Sathe had told her which made her husband more restless, worried and serious and thereafter he was telephoning most of the time.

GOPAL GODSE, WIT. 33

15.229 Gopal Godse in his deposition before the Commission stated that, Nathuram Godse and Apte were collecting arms for the Hyderabad trouble which had the approval of the Provincial Government.

15.236 If a strict watch had been kept and Police from Ahmednagar, Poona or Bombay had closely watched the movements of Nathuram or Karkare or Apte, it is possible that this murder may not have been committed by them.

15.244 Nathuram and Apte used to go to Ahmednagar.

15.245 All the conspirators walked out of the prayer meeting within five minutes of the ignition of the gun cotton slab There were a number of policemen at the Birla House on the 20th but nobody tried to stop the taxi in which the conspirators escaped.

15.246 Other witnesses who have deposed to the state of affairs and conditions in Poona are Messrs S. R. Bhagwat, Witness No. 69, R. K. Khadilkar, M.P., Witness No.97, G. V. Ketkar, Witness No. 1. Besides there are the statements of Balukak Kanitkar, Ex. 81, recorded by the police and his writings, Ex.11, his letter to H. E. the Governor General of India and his writings in the *Purushartha* Ex. 166. They have been discussed in different chapters wherein they appropriately fall.

R.K. KHADILKAR, WIT. 97

15.247 As G.V. Ketkar, witness No. 1, had stated that he had talked to R.K. Khadilkar about what he observed and what he heard and about what Godse had told him, the Commission thought it necessary to examine Khadilkar who readily consented to appear before the Commission his statement on this matter is very revealing.

15.248 When questioned about what Ketkar said about his talking to him, Khadilkar's reply was that he had no recollection of his travelling with Ketkar or Ketkar informing him of what Godse had said.

15.250 He has deposed that there were rumours even before the first attempt on 20 January 1948 of a conspiracy being hatched in Poona to attack Gandhiji. The rumours were to the effect that something will happen to Gandhiji. People were decrying him and saying, Ata Vaachnar Nahin', 'Now there was no escape for him'.

15.253 The atmosphere in Poona was highly poisonous and antagonistic towards Mahatma Gandhi and people thought that if he continued to live he would barter away the country to appease Pakistan. Khadilkar repeated that:

T h e Poona police intelligence was "With them".' The attention of this witness was drawn towards what Dhejia, Secretary of the Bombay Home Department had stated that the violent propaganda in Poona was anti-Muslim. To this his reply was that it was incorrect that the Muslims were the targets of this resentment or enticement to violence; it was more correct to say that the sullenness and resentment was directed more against the Congress and particularly against Mahatma Gandhi.

S.R. BHAGWAT, WIT. 69

15.257 S.R. Bhagwat, witness No. 69, in a letter, Ex. 115A, to M.G. Kanitkar said that the late Balukaka Kanitkar had informed the late B.G. Kher and the late Sardar Patel about the plot to murder Mahatma Gandhi but no one believed him.

15.258 Bhagwat, before this Commission, said that Balukaka Kanitkar in one of his speeches said that the relations and friends of Nathuram Godse were saying that Mahatma Gandhi was in favour of Muslims and was not protecting the Hindu interests. He must, therefore be 'removed'. He should not be given any place or position where he could influence the decisions in regard to Pakistan but he did not say that people were saying that the Mahatma should be murdered.

15.260 He (Bhagwat) met B.G. Kher before the murder and he told the witness that he did not believe that Gandhiji's life was in danger and that 'I was imagining'.

CONCLUSION

15.265 Broadly speaking, there was a strong school of political thought in Poona which was associated with the Hindu Mahasabha, a part of it and yet ideologically different. This school has compendiously been called by KM. Munshi as the Kesari group led by Savarkar. By Kamte it was called a group of Chitpawan Brahmins but it was not really anti- Gandhi. Even in this group there were some people who were willing to resort to political assassination and there were others whose activities might have consisted of strong anti-Muslim propaganda but they would not go so far as to commit a murder of political opponents.

15.266 (1) The Hindu Mahasabha was strong in Poona;
(2) there were bomb incidents; and

(3) there were collection of arms in regard to which a number of searches were carried out and persons arrested.

But all these activities were directed against Muslims in order to drive them out of India and force them to go away to Pakistan.

15.268 Gopal Godse had gone even further and said that even if Nathuram Godse, Apte and Karkare had been arrested, there would have been others who would have taken their place and would have finished Mahatma Gandhi, showing though not saying so that conspiracy to murder Mahatma Gandhi had larger ramifications than Police investigation showed or were brought out at the trial in Judge Atmacharan's court.

15.269 The group which actually took part in the conspiracy to murder was the most militant group among the Hindu Mahasabha workers. They had formed a separate organisation called the Hindu Rashtra Dal which from the evidence produced before the Commission was perhaps more militant than the RSS and had implicit faith in the ideology preached by V. D. Savarkar which consisted of 'tooth for Tooth and Eye for Eye'.

Chapter XVI deals with the situation in Ahmednagar.

16.1 Documentary evidence regarding Ahmednagar shows that Karkare even in the beginning of 1947 was prominent among the Hindu Mahasabhaites. He went to Noakhali and was making provocatory speeches on Noakhali happenings. So much so that the District Magistrate made orders under section 144 Cr. P.C. against him and another. There is a letter showing that he was importing arms.

16.2 The order passed by the Government of Bombay for the compiling of the list of Hindu Mahasabha and RSS leaders was applicable to Ahmednagar also. Ex. 114A relates to that District and VR. Karkare was one of the names therein mentioned. This was up to August, 1947.

16.5 Ex.266 dated 22 January 1948, is an extract from the Weekly Confidential Report of the District Magistrate. It shows that V.R. Karkare had gone to consult the Hindu Mahasabha leaders about the future line of Hindu Mahasabha work and to complain that the local Hindu Mahasabha workers did not co-operate with him on account of his activities amongst the refugees. This appears to be an incorrect report because there is other evidence to show that Karkare had vanished from Ahmednagar before the 10th January, 1948, and had gone on the nefarious task of murdering Mahatma Gandhi and not consulting the leaders about the future line of Hindu Mahasabha work. Ex. 227 dated 31st January shows that Karkare

had been out of Ahmednagar for the last 12 or 13 days and he was reported to have paid a visit to the Refugee Camp at Chembur and was moving about in Bombay. Ex. 228 is an innocuous kind of a report showing that Karkare had not been arrested under the Detention Order as he had absconded from Ahmednagar.

16.6 Ex. 67 dated January 29, 1948 is Sub-Inspector Balkundi's report to the D.I.G., stating that Madanlal appeared to be the same person who was operating in Ahmednagar and that he had left with V.R. Karkare 'Some 15 days back' and had not returned to Ahmednagar. Madanlal was a staunch RSS member. But this report whatever its authenticity was a belated document.

16.7 On January 26, 1948 Inspector Razak sent a report to the D.S.Ps. of Ahmednagar and Poona including therein a list of persons named by S.V. Ketkar and other persons. These names had been obtained with the help of Inspector Savant of the C.I.D. presumably during the investigation. This report attached to ex. 58—Razak's letter has the names of 25 persons amongst whom were S.V. Ketkar, VR. Karkare, R.S. Rekhi, and D.V. Godse. Amongst them Ketkar, Karkare and Rekhi were considered to be persons holding extreme views, whatever that word may mean. Two of them D.V. Godse and Chandekar were stated to be from Poona. S.V. Ketkar and Rekhi were connected with Karkare's Guest House and D.V. Godse was a brother of Nathuram Godse, and others were members of Karkare's amateur dramatic troupe.

16.13 Madanlal came into contact and was helped by Vishnu R. Karkare, who was also an accused in the conspiracy to kill Mahatma Gandhi. Karkare owned and ran a hotel in Ahmednagar and used his position and influence to the fullest extent in inciting the refugees to take out processions and indulge in anti-Muslim activities. His strategy was to terrorise and drive Muslims of Ahmednagar and hand over their homes and businesses to the Refugees. He had thus grabbed several Muslim owned stalls in the fruit market and even given one to Madanlal.

16.23 The evidence of the witnesses and the documents produced before the Commission show that four bombs were thrown in Ahmednagar town between 24 November 1947 and 26 December 1947.

In connection with these bombs, information was being sent by the District Authorities to Government. On 8 December 1947, the District Magistrate wrote a letter to the Chief Secretary to the Bombay Government

giving details of the bomb in Vasant Talkies and the extent of the damage done. A copy of the letter had been sent to the D.I.G. C.I.D., Poona. Thereupon Inspector Razak of the C.I.D., witness no. 34, was sent to Ahmednagar to investigate or to help in the investigation into the bomb incidents. By then there had been two explosions. Inspector Razak came and conducted his investigation and his evidence shows that the bomb explosions were caused by the workers of the Hindu Mahasabha but nobody had been arrested although Karkare and Madanlal who were both accused in the Gandhi Murder Case were suspected to have been at the bottom of these explosions. On 18 December 1947, he made a report (ex. 61) stating that the bombs excepting one that was thrown in Kappad Bazar which was different, were of the same type, similar to the bombs which had been found on 3 June 1947, in a bomb factory owned by Vassen Puspasen in Bombay which had been unearthed by the Bombay C.I.D. and one of which was brought to Poona by a police officer inspector Ranbhice and in connection with that find some Gujaratis were arrested. This according to him showed a common source and a common agency operating. On 24 December 1947 (Ex.62) the houses of the Secretary of the Muslim League and the Captain of the Muslim National Guards were searched but nothing incriminating was found. The report of this is Ex. 62. This document also shows that the lives of the Congress leaders including the local secretary Saptarshi were threatened and that the bomb on the Moharram procession was similar to the one that was burst in Shanivar Peth in Poona.

Madanlal Kashmirilal Pahwa worked at the Vassen Puspasen Fireworks, in the clandestine part of the factory manufacturing hand grenades. He had managed to escape barely a few minutes before the police raid. This was one of the reasons why he shifted to Ahmednagar. He was known to have carried off a large quantity of hand grenades with him.

16.33 On January 5, 1948, Raosaheb Patwardhan was addressing a meeting of the Congress to promote Hindu Muslim unity. Madanlal Pahwa arrived there with several Hindu Mahasabha workers and disrupted the meeting. According to his own statements during the Gandhi Murder trial he had caught hold of Raosaheb Patwardhan by the scruff of his neck and pushed him off the dais. The police reports of this are conflicting. According to S.I. Rane, Madanlal was hot tempered and was shouting slogans during the meeting and threatening to disrupt it. S.I. Balkundi stated that Madanlal and his companions created disturbances during the meeting

but it was not correct that Madanlal had caught hold of Patwardhan and tried to attack him with a knife. Karkare also arrived there and he too started shouting and demanded that he and Madanlal should be allowed to speak. They tried to snatch away the mike from the rostrum. There after the meeting ended and when the audience had dispersed Madanlal and two others were arrested. Madanlal was kept in the lockup for some time and it was added that Madanlal use to create trouble all the time. Inspector Razak has added that both Madanlal and Karkare were brought to the Police Station and interrogated there but nothing useful was found. Madanlal on that occasion gave an undertaking not to take part in violent movements and he was let off. S.I. Balkundi deposed that on or about 6 January 1948 both Madanlal and Karkare disappeared from Ahmednagar and the police had no information where they had gone. S.I. Deshmukh was on the look out for the duo.

16.34 From the testimony of another witness Sub-Inspector L.N. Joshi (wit. 36) who was a Police Shorthand Reporter in Ahmednagar at the time, it appears that Madanlal had told him that he was going to Delhi to get married. This was on or about 10th January 1948.

16.36 On January 9, Inspector Razak advised Deshmukh to recommend the detention of both Madanlal and Karkare. S.I. Balkundi has stated that he recommended that Madanlal and Karkare be detained or externed.

16.37 On the report dated 8 January 1948 S.M. Dalai made an endorsement on January 11, and V.T. Dahejia on 12 January, and on the same day the Home minister Morarji Desai made an order that the persons mentioned in the report should be arrested and asked why the District Magistrate had not done so earlier.

Based on these facts, it is unbelievable that the policemen, the Home minister and the intelligence sleuths developed collective amnesia barely ten days later. When Prof. Jain informed Morarji Desai about Madanlal's confessions Desai could not recollect that he had signed detention orders for both Madanlal and Karkare of Ahmednagar barely ten days earlier.

16.41 The statement of the D.S.P. is that it did not strike him that Madanlal arrested at Delhi was the same person of Ahmednagar, but he had a faint recollection that Inspector Razak and S.I. Deshmukh had mentioned to him their suspicions about the identity of Madanlal. He told them that if that was so Madanlal must have been interrogated by the Delhi police who would find out everything. He told Deshmukh that if he wanted to go to

Delhi he could do so and also told Razak that on his return to Poona he might as well tell the D.I.G., C.I.D., about this suspicion. Surprisingly enough, this gentleman did not think it expedient to telephone the D.I.G., C.I.D., about it nor did he inform the District Magistrate.

16.48 From the evidence it does appear that S.I. Balkundi was aware of the activities of Karkare and Madanlal. It also appears that he did suspect that Madanlal, the thrower of the bomb, was the same who had been operating in Ahmednagar, but for some reason he did not put his suspicion in writing and when he did so its utility was nil. It also appears that it was this witness who gave the particulars of Karkare to Poona C.I.D. and the photograph which was on the I.B. file was supplied by him.

16.50 Sub-Inspector Balkundi has stated that both Nathuram Godse and Apte used to come to Ahmednagar, they met Karkare and that he and his staff were watching the activities of both these persons although nothing emanated from this attempted intelligence. He also stated that he did not know if Karkare was sending any money to Godse and Apte. But he did know that Karkare was acting under the aegis of the Hindu Mahasabha. He further stated that when Madanlal and Karkare had left Ahmednagar in or about the second week of January 1948 as the place had become too hot for them, he thought that they might have gone to Kolhapur to stay with one Jere who was one of the paid workers of the Hindu Mahasabha. Now this is an important piece of evidence because in explanation dated 6 February 1948, also he has said that Karkare, so it was learnt, had gone to Kolhapur and was likely to take shelter with one Jere who had been working at Nagar (Ahmednagar) and that this information had been passed on to Inspector Razak who was working on it, but unfortunately this was on 7 February 1948.

16.51 After Madanlal had thrown the bomb, a letter addressed to Karkare was intercepted by Sub-Inspector Deshmukh. The writer of the letter could not be traced but in that letter it was written that a building had to be constructed in Bombay which was not possible without Karkare's help. Deshmukh took this letter to the D.S.P. and told him that it meant much more than what it appeared on the surface. In other words, it was in code. A copy of that letter was sent by the D.S.P. to the D.I.G., C.I.D. requesting that inquiries be made in Bombay. Deshmukh suggested to the D.S.P. that he (Deshmukh) should go to Bombay and Poona to find out about the whereabouts of Karkare and he left for Bombay on the pretext of

purchasing a rectophoto machine, taking with him Sub-Inspector L.N. Joshi, because Joshi belonged to Poona and knew Apte and Godse. They went to the *Agranee* Press and made inquiries about Apte and Godse. This was on 29 January 1948. They were told that neither of them was in Poona. They then went to Apte's house under some pretext and asked Mrs. Champatai Apte about Apte's whereabouts. She told them Apte had gone to Gwalior. Joshi remained in Poona and Deshmukh went to Bombay to find out about Karkare's brother who was working in a mill in Dadar. He made inquiries about Karkare till about 9 pm when he learnt about the murder of Mahatma Gandhi.

16.52 An extract of the weekly diary of Deshmukh shows that he arrived at Poona on 28 January 1948 and made confidential inquiries till 11 pm. On 29 January he made more confidential inquiries and left Poona at 11.30 am, arrived at Bombay at 4 pm and went to Kurla and made inquiries there and then returned to Dadar. On the following day, i.e., 30 January, he moved about in Byculla, V.T., Kalbadevi, Dadar and Parel areas and made confidential inquiries. In this report it is not stated as to what confidential inquiries he was making or about whom, but one or two important matters emanate from this portion of the testimony of this witness.

(1) That Deshmukh had gone to Poona to look for Karkare; and if that was so it is difficult to imagine why he should have gone to the Agranee press and asked about him and then there he made inquiries about the whereabouts of Apte and Godse. It is still very surprising that Deshmukh and L.N. Joshi should have gone to Mrs. Apte to find out where her husband was and then this witness (Deshmukh) should have left for Bombay to look for Karkare. The whole thing does not fit in or appear to be very logical. If Karkare was being looked for then the witness should have stated that they went to find out about him from the *Agranee* press and from Mrs. Apte which he has not stated. And this connection between Karkare and the *Agranee* press or Mrs. Apte should appear somewhere at least in the evidence before the Commission.

(2) It shows that the witness was connecting Karkare with Apte and Godse. Why, it is not clear. He has nowhere stated in his evidence that according to his knowledge, Godse and Apte were associating with Karkare in Ahmednagar although Sub-Inspector Balkundi has stated that both Godse and Apte used to meet Karkare in Ahmednagar.

(3) If Karkare had taken shelter in Kolhapur with Jere, why was he being looked for in Poona? Besides, why was the police in Kolhapur not contacted about him?

(4) It is difficult to find out any cogent reason for the inquiries made by these witnesses about Apte and Godse and not about Karkare. As has been said above, the events do not fit in properly and the picture seems to be out of focus as it were. Either these witnesses had information about the association of Karkare and Apte and Godse or they had not. If they had, one would have expected that they would have informed the authorities about this matter and when Karkare disappeared from Ahmednagar, they might have looked for him at places where Apte and Godse were or they had no knowledge about this association.

16.53 But this much is clear that Sub-Inspector L.N. Joshi did know Mrs. Apte. As a matter of fact, he has stated that he had helped Karkare to start his business and Karkare was helping Apte in his publication work. He has also stated that Deshmukh had (a) suspicion that Apte and party had gone to Delhi but he does not seem to have mentioned the fact to anybody nor informed the D.S.P. he has further stated that Mrs. Apte had no suspicion when he made inquiries about Apte because they had known each other for some time. This previous acquaintance of Joshi with Apte and Karkare can have a sinister meaning and yet may be more or less innocuous. Joshi has stated that he had no sympathy for the Hindu Mahasabha. L.N. Joshi has also stated that he accompanied Deshmukh because he knew friends of Karkare in Poona and went to the Agranee office for that reason. In the circumstances, it was, perhaps, not very wise for Deshmukh to have taken L.N. Joshi with him.

16.54 But the reason of his going to Poona and Bombay remains a mystery in view of his previous knowledge about the hiding of Karkare in Kolhapur with Jere.

The Kapur Commission has mildly hinted at a nexus between certain officers of the Ahmednagar police and Karkare and the Apte- Godse gang. After the murder, Pyarelal wrote that there was sympathy for the Hindu Mahasabha, RSS amongst several police officers and bureaucrats, and that the administration was largely infiltrated by members of these fanatic organisations. When the decision was taken to ban RSS and the Hindu Mahasabha, the news was leaked out and the top leadership of both organisations went underground. In one instance a senior police officer

advised RSS and Hindu Mahasabha cadres in his jurisdiction to lie low for some time till the heat subsided. It would not be surprising if the two police officials from Ahmednagar were actually on a trip to warn Karkare, Apte and Godse that the police were closing in, rather than to arrest them.

16.85 Witness No. 36, Lakshman Narayan Joshi is a D.S.P attached to the C.I.D., Bombay C.B.I. He was working as a Sub Inspector in the C.I.D. Ahmednagar in 1947-50 under D.S.P Ahmednagar.

16.86 On 10 January, Madanlal had told him that he was going to Delhi to get married. When the news of bomb throwing at Gandhiji's meeting came on the radio or was published in the newspapers it struck the witness that it was the same Madanlal who was in Ahmednagar and he talked to the sub-inspector about his suspicion. But evidently no use was made of this information, if indeed it was given. Secondly, when detention orders against Madanlal were passed and he absconded, this witness gave information of the absconding; or his going to Delhi assuming he knew of the detention orders. He also was searching for Madanlal. Sub-Inspector Deshmukh had a similar suspicion and he went to speak to the D.S.P. about the identity of this Madanlal. This was on or about the 24 January 1948. They both went to the D.S.P. but Deshmukh did the talking, Inspector Razak was also there. According to him the D.S.P. said that the Delhi Police should be coming to enquire and that they should not bother themselves about it but should arrest Karkare and get all the details of Madanlal. What that meant the witness did not know.

16.87 On the 27th or 28th January, Deshmukh asked the witness to accompany him to Poona. Why it was five days or so later, he could not say. As he knew some friends of Karkare in Poona, that is why they went to Poona. They visited *Agranee* press and some of Deshmukh's friends. While Deshmukh made inquiries, this witness stood outside. He does not know whether they went to Nathuram Godse's house but they did go to Apte's house, Anand Ashram, at about 15.30 or 16.00 hours. The witness went in and asked Mrs. Apte about the whereabouts of Karkare and she said not know about Karkare but Apte had gone to Nagpur for publishing Savarkar's literature and from there he might have gone to Gwalior.

16.89 The statement of this witness is rather important. Although he knew that Madanlal had gone to Delhi, he gave no information to Sub-Inspector Deshmukh. If the movements of Madanlal and Karkare were being watched and the witness knew Madanlal, as he says he did, it is

difficult to believe that he did not know that the movements of Madanlal were being watched. Besides he took his meals at Karkare's hotel and so did Madanlal.

16.94 The witness says that he did not know about the activities of Karkare though he was friendly with him since 1937. He did not know that Karkare's house was searched in connection with the bomb explosion and yet in the next breath he says that he knew that Karkare's house was being searched in connection with the bomb explosions, and that Inspector Razak had come in that connection. He has admitted that he knew Mrs. Apte and her husband since long and that his friend wanted to get insurance of Apte but he does not know what company his friend was an agent for. He did hear Razak and Deshmukh talking about the detention of Karkare.

16.95 This witness was friendly with Karkare. He had helped him to start the Hotel. He had been friendly with Karkare for ten years and it is difficult to believe that he did not know about his (Karkare's) activities. He also knew Apte and was aware of the fact that Apte and Karkare were friends. He knew that Karkare was out of town and yet he gave no such information to the police when the police were looking for him. He also knew that Madanlal was leaving for Delhi, this information he did not give to his collegues I the police force. He had gone to Poona to find out Karkare some of whose friends he knew there.

16.96 Police Deputy Superintendent Anant Shamrao Balkundi, witness No. 37, is now the Deputy Superintendent of Police C.I.D. Aurangabad. From July 1945 to July 1948 he was a Sub-Inspector, C.I.D., at Ahmednagar.

16.98 When on the 20th January a bomb was exploded at Birla House at Mahatma's prayer meeting and the matter was reported in the Press this witness suspected that Madanlal therein described was the same person who had been carrying on activities in Ahmednagar. He conveyed his suspicions to Inspector Razak who in turn informed the D.S.P. but what orders the D.S.P. gave, the witness does not know.

16.101 The next piece of evidence which is of importance in connection with this witness is his explanation dated 9th February 1948 (Ex.69). He stated therein (1) that he was not aware of the D.I.G.'s camp at Ahmednagar; (2) that he could not make arrangements for interrogation of Ved Prakash on 1st February 1948 because of disturbances in the city; (3) that the D.S.P. informed him that he, the witness, was wanted at Poona with

full details regarding the relatives and servants of Karkare and the collection of that information had kept him busy and he had handed over the information along with Karkare's photograph to deputy Superintendent Chaubal; (4) that he was constantly reporting about the movement of Karkare and Madanlal through weekly and special reports and had finally reported about the detention of both of them on 4th January 1948; (5) that after the meeting of Raosaheb Patwardhan on 6th January 1948 the atmosphere at Ahmednagar had become too hot for Karkare and Madanlal and therefore they had disappeared from Ahmednagar; (6) that Karkare had written to his wife that he would be arriving during the course of the week and strict watch was being kept at the Railway Station and motor stands; (7) that Karkare had gone to Kolhapur where he was likely to take shelter with a Jere.

16.103 Another important piece of evidence which em anates from the statement of this witness is that Godse and Apte both used to come to Ahmednagar and meet Karkare and that this witness and his staff were watching the activities of both Apte and Godse in Ahmednagar although nothing emanated from this attempted intelligence. The witness did not know if Karkare was sending any money to Godse and Apte. And he had no information about any plot being hatched in Ahmednagar.

16.136 The evidence from Ahmednagar shows that had efforts been made earlier either by the Delhi Police or the Bombay Police the complete record of Karkare as well as of Madanlal would have been available and if a photograph had been published in the newspapers, the police of Ahmednagar would have come to know about him and would have been in a position to give the information. Commission would like to add that issuing photographs of arrested persons is not always a very wise mode of investigation because of the fear that identification parades or identification by witnesses might be held to be valueless. Nevertheless the Delhi Police should have sent a photograph of Madanlal to all Police stations and especially to the police stations of the places mentioned by him, this was a serious lapse.

MORARJI DESAI. WIT. 96

Morarji Desai was the Home minister of Bombay Government when the Congress party again took office in November 1946 and held that office during the period with the happenings of which this Commission is

concerned and particularly from after August 1947 till 1949 covering the tragic events culminating in the murder of Mahatma Gandhi and the trial and conviction of his murderers.

18.12 Desai then said that the Hindu Mahasabha and its press were indulging in highly inflammatory communal propaganda, in consequence of which action had to be taken against the latter under the Press Emergency Powers Act. He could remember that there was a newspaper called the *'Agranee'* of which the editor was Nathuram Godse, whom he knew, and the proprietor was Apte.

18.14 Morarji Desai was then asked about the bomb explosion at Poona particularly in the heart of the city. Exhibit 155 relates to this incident showing that a bomb was thrown from the top of and near the city library in Poona city on June 16, 1947 resulting in injuries to 'a boy' and damage to a motor truck. One N.R. Athawale, a Hindu Mahasabhaite was arrested and he made a confessional statement before a Magistrate under S. 164 Cr.P.C. that the bomb had been given to him by N.D. Apte of '*The Agranee*', with the instructions to throw it from a height and he admitted that he had thrown it on the road from the second floor of the City Library. Apte was arrested on 4th July 1947 but a search of his house showed nothing and nothing incriminating was recovered.

18.15 It may be remarked that the similarity between this case and the case of recovery of a large quantity of arms and ammunition from the house of V.R. Ketkar of Ahmednagar is significant. In both cases the persons arrested made confessional statements involving prominent Hindu Sabha workers, Apte in the Poona case and Karkare in the Ahmednagar case. In both cases the persons named escaped without a scratch and in one case even the self confessed bomb thrower could not be prosecuted. In both cases the confessions were retracted and the police found no other evidence against the prominent workers. The parallel is striking if not indicative of a pattern of Hindu Mahasabha's *modus operandi.*

18.16 On the 9 July, Kher wrote a note on the file, when the matter of the Poona bomb went to him after passing through the various Secretariat *echelons,* wherein he said 'was not the editor of the *Agranee* arrested? I would like to know the progress'. Morarji Desai was asked how the editor of *the Agranee's* name came to be mentioned when there was nothing in exhibit 155 (the bomb matter) to show any connection between *the Agranee*

and the throwing of the bomb, and his reply was that the name of the *Agranee* must have been mentioned in one of the weekly letters.

18.17 When the papers came to Morarji Desai for sanction for prosecution under the Explosive Substances Act he recorded a note on 5th August that his information was that the confession had been retracted and if that was so what was the evidence to prove the guilt of the accused persons. On this Kher wrote: 'This matter must be treated more seriously. We must impress it upon the D.S.P. that he is to investigate the case thoroughly. The *Agranee* has stated that it is a matter of high honour that the Hindu Sabha should be accused of throwing a bomb—H.D. is returning his security. Is terrorism to be allowed to be openly encouraged? I would like to see Secretary H.D.' This is demonstrative of Kher's anxiety in relation to the incidents of bomb throwing.

18.19 Desai was next asked about exhibit 177, dated August 1947, an order of Kher about preparing a list of and keeping a strict watch on the operations of the members of the Hindu Mahasabha organisation and of the R.S.S. To this order Desai had added that this be done within 10 days showing need for expedition. He has also said that Hindu Mahasabha and RSS were working together.

18.21 Morarji Desai was then examined and closely questioned in regard to the letter which G.V. Ketkar claims to have got sent to Bombay Government through Balukaka Kanetkar. He was asked:

'Q. Did Balasaheb Kher ever talk to you about this letter?'

A. I think, he did but as far as my memory goes, no names were mentioned in that .... I do not think I saw the letter. Balasaheb told me of the contents of the letter. As far as I can recollect, no names were given.' He added, 'From my recollection I can say that the letter seemed to show that the atmosphere was very tense and there was danger to the life of Mahatma Gandhi which several other people were saying and which also felt because of the atmosphere which refugees had created.'

The witness emphasised that Nathuram Godse's name was not mentioned by Balukaka Kanetkar.

18.22 He was then asked about Balukaka's article in *Purshartha* (Exhibit 166) wherein there is an alleged reiteration by Balukaka of informing the authorities that Nathuram Godse had said that Mahatma Gandhi should be killed; Morarji Desai said that he had not seen it.

18.24 Desai said that Balukaka Kanetkar talked to him also and he told him that the atmosphere in Poona was very tense and there was danger to the Mahatma as also to the life of Congress leaders generally but he never mentioned any names of the likely assailants and never mentioned the names of Godse or Apte.

'I do not agree that there was any complacency or the matter would have been taken lightly even if the names of these persons had been given. Even otherwise people were worried and all of us including Sardar Patel, myself and my chief Balasaheb Kher, were worried about it and we mentioned the matter to Gandhiji about the danger but we could not do anything more than what we did, i.e., to keep some plain clothes men around Mahatma Gandhi.'

18.25 But the danger, according to him was not confined to Poona; it was from all over the Country. Morarji Desai did not accept the claim of Balukaka Kanetkar that he was the only person who for six months had been trying to prevent the tragedy which ultimately overtook the country. The first time any names were mentioned to him was when Prof. Jain talked to him on 21 January 1948.

18.31 Prof. Jain did tell Morarji Desai that Madanlal had disclosed to him that he (Madanlal) and his companions were going to kill Mahatma Gandhi but he had not involved Savarkar in it.

18.34 When asked why the Inspector General of Police, Kamte and the Commissioner of Police Bharucha were not taken into confidence, the witness replied that Nagarvala was in charge of the C.I.D. (Special Branch) and the information could not be dispersed among so many officers. Besides he did not consider Bharucha to be very competent and Kamte was in Poona; and he had no real control or jurisdiction over Bombay City. It may be remarked that as things turned out later and in the light of the disclosures as to the names of the conspirators which later transpired, perhaps Kamte's assistance with his control of the Provincial Police would have been helpful.

18.41 Gadgil's article disclosed that a friend of his a Jedhe, M.C.A. came to Delhi from Poona on 15th January 1948, and he (Jedhe) knew that Godse and others had chalked out a plan in Poona and send-offs were being given to them. If Jedhe could come to know about it, it should have been possible for the Provincial or Local Intelligence also because according to Khadilkar, the Intelligence Officer Inspector Angarkar was 'with us'. This fact of the feasting was deposed to by Gadgil. As a witness he said: 'Godse and his

friends were being feted as they were to go and murder Gandhiji and there was a function at Tilak Smarak Mandir.'

18.42 Morarji Desai did say that Police Intelligence was weak and weakness still continues but surely it could not be so weak a nd so inept that if feasting was done to felicitate people who were going to murder Mahatma Gandhi the police should have known nothing about it unless it was done in a very secret manner as is usual in the case of conspiracies. In that case it should have been impossible for Jedhe to know of it unless he was close friend or a clever sleuth.

18.48 Morarji Desai had a faint recollection about Purushottam Trikamdas witness No. 15 having seen him but could not remember who the man with him was. When the statement of Purushottam was read out to him, he said he could not remember who the man was nor what he had said if he had said that the conspiracy was to murder Mahatma Gandhi he must have referred the man to the Police. Desai said that the real cause of the murder was that the Hindu Mahasabha was strongly opposed to the Mahatma, considered him to be enemy of Hinduism and therefore they viewed everything from that angle. He agreed with Kamte about his suggestion as to what he would have done if the information had been given except that no case could be registered and the Bombay Police could not be sent to Delhi unless the Delhi Police asked for them.

18.51 Kidnapping Theory—Morarji Desai stated that he did not agree with the kidnapping theory which as a matter of fact was never mentioned to him and if it had been, he would never have accepted it because it was an impossible proposition.

18.53 From the talk he had with Balukaka and from other information which he got, 'It was not possible for me to locate anybodyin particular as the likely assassin of Mahatma Gandhi'. If he had the slightest inkling about the persons in the conspiracy, he would have put it down by all means at his command. 'I could not say who the exact persons were who would do harm to Mahatma Gandhi but from the information I had. I could say that they were likely to be either the refugees or the RSS and Hindu Mahasabha. Not necessarily from Poona.'

18.64 In Morarji Desai's opinion, Nagarvala did all that could possibly be done.

18.65 In answer to questions by Commission, he said that Nagarvala did not tell him that the Delhi Police officers had mentioned the editor of *Agranee*. On the other hand, he was complaining that they were not very cooperative. As said earlier this must have been after the murder. Before the murder there was not even inkling of Godse and Apte being in the conspiracy. When the murder took place, Desai could not imagine that it had been committed by someone from Poona. He knew Nathuram Godse as the editor of the *Agranee*.

18.66 Desai said, 'I have heard from Counsel portions from the evidence of Nagarvala as to what he was doing *qua* Kidnapping Theory but that would not impair the values of the investigation which was being carried out under my instructions. But during the investigation Nagarvala never told me anything about kidnapping as far as I remember'. Nagarvala never told him that the Delhi Police officers had mentioned the name of the editor of *Agranee* and there was not even an inkling of Godse and Apte being in the conspiracy before the murder. Nagarvala had not told him that Delhi Police officers had asked him to arrest the editor of the *Agranee*. Had this name been mentioned even the most incompetent officer would have arrested him.

V.T. DEHEJIA. WIT. 84

18.79 An other important witness as to the events preceding the throwing of the bomb and the murder of Mahatma Gandhi is V.T. Dehejia, I.C.S. (Retired)—witness No. 84. At the relevant time, i.e., from about August 1947 to sometime after the murder, he was the Home Secretary in the Home Department of Bombay Province.

18.80 Under the directions of the Premier, Kher, and subsequent discussions with the Home Minister and the Secretariat officials, a direction was sent to the Provincial C.I.D. and the Commissioner of Police to compile a list of officers of the Hindu Mahasabha and the RSS The list prepared for Poona was ex. 114 and for Ahmednagar Ex. 114-A which was sent to the Government from Poona. By a letter to Dehejia, Ex. 113-A, dated 19 August 1947, Rana D.I.G., C.I.D., said that arrangements had been made to keep a watch on the activities of the RSS and the Hindu Mahasabha and periodical reports would be sent. It seems that later Rana suggested that as secret weekly reports were being sent, it was perhaps not necessary to send special reports which had been ordered; on which Dehejia wrote that they were necessary. The matter was put before a meeting of the Provincial Cabinet and it was decided to discontinue the periodical reports on these two organisations and Rana was informed accordingly.

18.81 Dehejia was examined on all these matters in detail in regard to the special reports, he has stated that as there was apprehension of violence which was indicated by rabid speeches made on the anti- Pakistan observance day and also as there was apprehension that there might be trouble on 15th August 1947, Independence Day, the witness thought that the continuance of special reports on these organisations to be necessary in spite of what Rana had suggested.

18.82 When asked why special reports were necessary, his reply was that there was a report of the proposed observance of the Anti Pakistan Day' and in order to check the trouble on that day the special reports were necessary but evidently the danger had passed and therefore the authorities thought that the special reports were no longer necessary.

18.83 The Commission then examined him in regard to the statement of G.V. Ketkar about the hostile sentiments allegedly rife in Poona against Mahatma Gandhi, he replied that these sentiments appeared to come in waves. After the Partition they were directed against the Congress and Mahatma Gandhi and again when he undertook the fast, similar sentiments were against him. The hostile sentiments were largely ignited by the Hindu Mahasabha and RSS.

18.87 When his attention was drawn to Dr. Parchure's speech about 'Nehru and Gandhi reaping the fruits of their sins in a short time' he said that if he had learnt about it he would have been put on guard but he would

not have concluded there from that Gandhiji and Nehru were going to be murdered but he would not let the speech pass without any further inquiry.

18.87-A. As a matter of fact the District Magistrate was asked by the Government about this speech of Dr. Parchure but his reply based on the report of the D.S.P. was that the report of the speech was based on the police reporter's memory as the speech was in Hindi and there were no Hindi shorthand reporters in Poona Police That might perhaps be the reason for the immobility of the police or the quiescence of the Bombay authorities but the sentence is so telling that the police reporter would not have put in unless some such words were said. Commission of course presumes that the reporter knew Hindi and did not have a mind which could imagine or make up things.

18.92 Although the noting of Secretariat files of this witness has shown clear grasp of the problems which arose at different times indicating a vigilant mind the Commission is unable to accept some of the statements of this witness particularly that there was no atmosphere of violence discernible from the newspapers and from the speeches made by various people in Poona. The evidence of Messers Ketkar, Khadilkar and the late N.V. Gadgil and the documents which have been produced shows not only a general atmosphere of violence but a particular slant directed against Congress leaders in general and Mahatma Gandhi in particular. The - intensity of feelings against Mahatma Gandhi was the consequence of what was considered to be the appeasment of Muslims at the cost of the Hindus, of which the Partition, the post prayer speeches of Gandhiji and the giving away of Rs. 55 crores were outward manifestations. On a matter like this the people who are non-official, who move in non-official circles and are generally in touch with the general state of affairs of a town and sentiments of the citizen have a better knowledge than the officials. Even though they happen to be clever, vigilant and wide-awake. This is particularly so in the case of non-official gentlemen who take a prominent part politics whatever colour of the spectrum it may assume.

KANJI DWARKADAS, WIT. 7

18.93 Kanji Dwarkadas witness No.7 is a Labour leader, a follower of Mrs. Besant and a Socialist. He deposed that two days before the murder, B.G. Kher went to Mahatma Gandhi and told him that Poona Brahmins were committed to kill him and as it was his day of silence, Mahatma Gandhi

wrote on a piece of paper, 'If I have to die, I shall die. I do not want any police protection'. Kher also told the witness that Nathuram Godse was running a rabid Hindu Mahasabha paper and that he knew that these people were after Gandhiji and that the Delhi C.I.D. did not take the Bombay Police into confidence, otherwise they would have immediately come to know about Nathuram Godse. He had also said that from the recovery of a shirt in the Marina Hotel which had a *Dhobi* mark 'Nathuram Godse' the police should have been able to trace him. (The *'Dhobi'*, Laundry, mark on the shirt recovered from Marina Hotel did not say 'Nathuram Godse' as mentioned by Kanji Dwarkadas the mark was 'N.V.G.' which coupled with other clues given by Madanlal should have been easy to connect with Nathuram V. Godse.)

18.94 The Communist paper *People's Age* had been saying since August 1947 that the Mahatma was going to be murdered, that the Delhi Police was infiltrated by RSS people and that the Deputy Commissioner of Delhi, Randhawa, was behind the movement and they were not keen to protect the life of Mahatma Gandhi.

18.95 He further stated that a Doctor friend of his, Dr. X in Alwar state, went to Mahatma Gandhi in the middle of December 1947 and told him that Alwar and Bharatpur States were in the conspiracy. Acharya Jugal Kishore had also warned Gandhiji about it. The Doctor above mentioned had sent a leaflet to Acharya Jugal Kishore that said that Gandhiji must be murdered and the Acharya wrote back to the Doctor that he would place the leaflet before Gandhiji and Panditji.

JAYPRAKSH NARAYAN, WIT. 98

18.102A Jayprakash Narayan, witness No. 98, stated that he had no recollection of sending a man to Purushottam with the information regarding danger to the life of Mahatma Gandhi.

'I have no recollection if I had sent a man to him. If I had sent a man to him that would mean that I had taken the information seriously, which I did not. That may be wrong on my part but this is exactly what happened and I am stating so.'

18.102B. He added, 'At that time it must have appeared very incredible to anyone to whom this information was given.'

18.102C. He also did not speak to Gandhiji about this information nor to Sardar Patel. He had a great deal of respect for Sardar Patel although they

did not see eye to eye on political matters. He (Narayan) did blame the police for not being vigilant. He was surprised that any Indian could have committed the murder of Mahatma Gandhi. It made no difference as to where he came from. He was not aware that there was a party of militant people who would commit violence against the person of Mahatma Gandhi. There was a strong antagonism between the group of Tilakites and Gandhiites, the Kesari Group and the Savarkarites but that was all on political level. He could not imagine anyone would commit murder of Mahatma Gandhi whatever be the differences.

Jayprakash Narayan's testimony before the Kapur Commission is very surprising. Previously both Sardar Patel's Secretary Shankar, and his daughter Maniben have testified that immediately after the murder Jayprakash Narayan carried out a very public campaign against Sardar Patel for his failure to protect Mahatma Gandhi, insinuating that he held Sardar Patel responsible for Gandhiji's murder. Before that, he is reported to have criticised the Hindu Mahasabha and RSS at Kirkee and other places for their violence and their attempt to violently destabilise the Indian Union. As compared to these facts contained in the Kapur Commission's Report, Jayprakash Narayan's testimony appears to be very watered down. It is also very unlike Jayaprakash Narayan. It would have been illuminating to find out what brought about such a dramatic change in him. Alas JP, as he is famously remembered, is no more to shed light on the issue.

J.D. NAGARVALA'S STATEMENT

18.103 As the conduct of J.D. Nagarvala, the then Deputy Commissioner of Police, Bombay, has come in for serious criticism at the hands of counsel, the Commission thinks it necessary to set out the salient points of his statement which are relevant to the course of the investigation or inquiry which he conducted after the information given by Prof. Jain had been relayed to him by Morarji Desai. The evidence of Nagarvala comes to this.

18.104 There was communal tension due to influx of refugees into Bombay. Arms and ammunition were left by the British with certain communities and transmitters left by the Royal Air Force were being used for transmission of news to Pakistan.

18.105 The Hindu Mahasabha believed in political assassination as a means of achieving political ends.

18.107 The Bombay City Police had not heard of Madanlal or of Godse or Apte before the bomb was thrown, and the Bombay City Police could not have started any investigation from mere press reports unless it was therein give that Madanlal had migrated to some locality in the city of Bombay. On 21 January there was no communication from Delhi about the bomb incident. Normally, the practice was that if any information had to be sent by the police of one province to that of another, it would communicate with the Inspector General of Police or the D.I.G. or the D.S.P. direct, and in the case of Bombay city with the Commissioner or Deputy Commissioner of Police.

WHAT DESAI TOLD NAGARVALA

18.108 Officially Nagarvala got information about the bomb on January 21 when the Home minister called him and told him of the information which Professor Jain had given him without disclosing to him the name of Professor Jain. He was asked what information was given to him by Morarji Desai.

Q. 'Did he tell you anything?'

Ans. 'Yes, he did. He told me that the man, Madanlal, who had exploded the bomb in Delhi prayer meeting of Mahatma Gandhi was companion of one Karkare from Ahmednagar and I should try and arrest Karkare.'

Desai also suggested to him that he might keep a watch on Barrister Savarkar's house. Whatever Morarji Desai told him was correctly recorded by him in his Crime Report No.1 as follows:—

'I was told by H.M. that he had received definite information that the attempt on the life of Mahatmaji on 20-1-48 at the prayer meeting at Birla House, Delhi, was made by one Madanlal along with his associates, Karkare and others. He also told me that Karkare and Madanlal had met Savarkar immediately before their departure to Delhi to attempt on the life of Mahatmaji. He also ordered me to apprehend and arrest this man named Karkare who hailed from Ahmednagar and whose arrest he had already ordered in connection with other incidents of anti-Muslim nature at Ahmednagar. He also ordered me to inquire and apprehend the associates of Madanlal and Karkare.'

18.109 Nagarvala also stated that he had kept a note about the information by Desai but he did not take down a First Information Report as he was not making an investigation. He said:

'I was not an Investigating Officer. They were orders given to me by the Government on the basis of which I started my inquiries.'

18.116 Nagarvala was not told who had sent those police officers to Bombay. All he knew was that they had come to arrest Karkare and belonged to Delhi Police.

Even if one were to believe Nagarvala, that the Delhi Police had kept him in the dark. When he found out that they were looking for Karkare, why did he not inform them that the Home Minister had issued orders for his arrest? One must remember that while most of the other Police Officers involved in the bungling of the investigations between the 20th and 30th January 1948 got an opportunity to save their skins by appearing before the Kapur Commission. Sanjevi had passed away before the Kapur Commission was constituted so he could not put forth his side of the story and so all his colleagues got a convenient posthumous scapegoat to pin the blame on. I hold no brief for Sanjevi but he was the only incompetent bungler who did not get a chance to make excuses.

18.117 Nagarvala was questioned whether he asked them about any statement made by Madanlal, his reply was:

'No I did not ask them but during the course of conversation I gathered that they had no knowledge of what Madanlal had said or done.'

He did not ask them about the antecedents of Madanlal because the Home Minister had told him that he and Karkare were together and Bombay Police was already looking for Karkare. Nagarvala repeated 'that the officers could not have told me anything because they knew nothing more'.

18.118 When asked if he had got the Delhi Police diaries translated into English, he said that he did get them translated, he went through the English translation of the case diaries of the bomb case. When his attention was drawn to paragraph 15 of case diary No.l and that Deputy Superintendent Jaswant Singh and Inspector Balkrishna were present when the statement of Madanlal was made and therefore they must have known what statement he made, his reply was that that may or may not be so. All the information they gave him about Karkare was that they had come to arrest him. He did not ring up Delhi to find out what the officers had been sent for, as it was not for him to do so. The investigation was by Delhi Police. It was for them to ask for help. Assuming that in a strictly legal sense this position is correct, yet because the matter concerned the safety of a person like Mahatma

Gandhi, one should have expected more inquisitiveness to get out all what those Delhi Officers knew. A bland legalistic approach at that stage was no credit to the Bombay 'Inquiry'. And if the Delhi Police officers could give him no information, a long distance call to Rana or to the New Delhi Superintendent of Police could have been helpful.

18.120 *Knowledge of Madanlal's statement*—He came to know about Madanlal's statement after the murder. Rana did not tell him what statement Madanlal had made but he told Rana what he had done up to then in the way of investigation.

18.121 He came to know that the conspirators were from Poona only during the investigation, post murder, and not before. The Home Minister had told him that Karkare and his associates wanted to murder Mahatma Gandhi.

Q. 'Were these associates according to your information Maharashtrians or refugees from Pakistan?'

Ans. 'The information that we had in this connection was as recorded in my case diary and my reply to Government which would show that predominant suspicion of the Bombay City Police was on people who had migrated to Bombay and who might be classed as refugees.'

He did not learn from Ahmednagar about the associates of Karkare. His information was that Karkare was not in Ahmednagar during the last few days. He did not know that Madanlal had migrated to Ahmednagar or had been living there. All he knew was that Karkare belonged to Ahmednagar. But this is not in absolute accord with the first Crime Report. He further said that he did not think necessary to find out from Ahmedmagar Police about the associates of Karkare. That in the opinion of the Commission was an erroneous approach.

18.122 It was only after the murder that he came to know that amongst the associates of Karkare were Poona people like Godse, Apte and Badge. About Badge he knew that he was a trafficker in arms but he did not connect him as an associate of Karkare and Madanlal. He said that he must have ordered a watch to be kept at railway stations which would also include the airport.

Here Nagarvala has resorted to a blatant lie. When he d id not know whom to look for why would he have ordered a watch and for whom. He has confessed that he did not investigate about Karkare's whereabouts after

the Home Minister had told him that he had ordered his arrest. So his own statements condemn Nagarvala.

18.123 It is difficult for the Commission to find on the evidence as to what watch was kept at Air or railway terminals but if any watch was kept it must have been most ineffective because Karkare, Apte and Godse used both rail and air without any detection during the period 23 January to 27 January 1948. The watch could not but be futile, as no one seemed to know these people as the statement of Rana shows.

18.124 On his return from Delhi on 27 January, Rana stayed with Nagarvala and the later explained to him what all he had already done, and they decided to let the D.I.B. know about it. In the presence of Rana, Nagarvala told the D.I.B. on the telephone as to what he had done.

18.125 Nagarvala did not ask Rana as to the contents of the statement of Madanlal because Rana appeared to be satisfied with what he (Nagarvala) had already done. This is a rather peculiar statement because Nagarvala was working out the information given by Professor Jain which had been conveyed to him by Morarji Desai and Madanlal's statement at Delhi would have been helpful in working out the information. Rana had brought valuable information from one of the co-conspirators and the Commission has been unable to find any reason why the content of Madanlal's statement were not given by Rana to Nagarvala and why the later did not ask Rana as to what the statement contained. Particularly when Nagarvala later stated that he would have liked Madanlal to be brought to Bombay.

18.126 According to the statement of Nagarvala, Badge could not be considered a member of the Savarkar group because he was trafficking in arms and Nagarvala was looking for him not as a conspirator but as a trafficker in arms.

18.128 He was asked why he persisted with his theory of conspiracy of kidnapping and not of murder. His reply was that that was not his theory but that is what he learnt during the course of investigation. He added 'what I mean to say is that I was working on the information given to me by the Home minister and at the same time telling the Home minister the result of my enquiries.'

18.129A. He emphasised that he had not seen Ex. 5A before. He was asked whether the reading of Ex. 5A would not have disclosed to him the class of persons who were in the conspiracy though not their identity. His reply was that it was possible to get a clue as to who those persons were.

More so, from the reference to Karkare as proprietor of Deccan Guest House and member of the RSS Nagarvala tried to clarify the matter in regard to conspiracy to murder or the conspiracy to kidnapping Mahatma Gandhi. He said:

'On 21 January 1948, the information that was given to me by the Home minister, Bombay, is recorded in Crime Report No.l dated 30-1-1948 contained in document called file of crime reports which is marked as Ex.185 by which number the whole book will hereinafter be referred to. The first crime report Dt. 30-1-1948 contained in Ex, 185 reads: 'Before the Home minister talked to me all I had was the report of the newspaper which I had read.' I started no activity or enquiry till I received instructions from the Home minister. In other words, the information to me was attempt on the life of Mahatma Gandhi. What I recorded on that occasion was this: 'I was told by the Home minister that he had received definite information that the attempt on the life of Mahatmaji on 20-1-1948 on the prayer meeting at Birla House, Delhi, was made by Madanlal and his associate Karkare and others.'

All that was conveyed to me by the Home Minister was that an attempt had been made on the life of Mahatma Gandhi oil 20-1-1948 by Madanlal, Karkare and others. During the course of my enquiries what I learnt was that at no stage it was contemplated that we should go on with the theory of kidnapping and forget the original information. The information of kidnapping transpired during the course of enquiries in connection with the information furnished by the Home minister. I did not ask the Home minister as to who his informant was. I would not do so because if the Home Minister wanted to tell me the name of his source he would have done so. The stage at which the Home minister gave me the information, the question of conspiracy did not arise in the legal sense. If I were to register this case in the Tughlaq Road Police Station as F.I.R., I would have put it under section 307, I.P.C. At this stage I would not have added section 120-B. The investigations or the enquiries which the police would be conducting would have been on the same lines whether or not section 120-B were added or invoked.'

This statement of Nagarvala is a masterful act of obfuscation and evasion. He has completely clouded the issue and evaded answering the simple question put to him by the Commission.

18.134 The evidence before the Commission, however, shows that the Ahmednagar Police had a full record of Karkare's doings or misdoings in Ahmednagar, and had Nagarvala asked for this information, the District Police would have given him something valuable, e.g., connection of Karkare with Apte which Sub-Inspector Balkundi furnished to the Deputy Superintendent Chaubal soon after the murder when this information was called for from him by the Poona C.I.D. Sub-Inspector Deshmukh, witness No. 32, has stated that all this information was with him.

18.135 Nagarvala got the full statement of Madanlal on 5 February 1948.

18.139 Bombay Police not investigating the Bomb Case—The Bombay Police, said Nagarvala, was not investigating the bomb case but it was making enquiries on information received from the Home Minister. The offence was committed in Delhi and the investigation was in the hands of the Delhi Police. The Bombay Police had neither been asked by the Delhi Police to make any investigation nor did the Delhi Police come to do it. An investigating officer had to ask for help, and if that had been done in the bomb case, the Bombay Police would have given it willingly. It was not for the Bombay Police to interfere suo motu with the investigation of the Delhi Police and Sanjevi's note that Bombay Police had to do any investigation was not correct (Once again Nagarvala was calling a dead man a liar to save his own skin). He further stated that he was not under any duty to inform D.I.G. Kamte of the information given to him by the Home Minister but he did disclose to the Commissioner of Police the information given by the Home Minister on 22nd in the Tea Room at tea which was usual practice where matters of this kind were discussed. When the attention of Nagarvala was drawn to Ex. 8 where it was stated that the investigation was entrusted to Nagarvala, he replied that the word was loosely used.

No wonder Nagarvala was Morarji Desai's blue eyed boy, he had the knack to twist and turn everything to suit his purpose and possessed the quality of self righteousness in excess which was a quality Morarji Desai also had in abundance.

18.140 The position taken by Nagarvala is not correct. On the facts of this case, Nagarvala was making an investigation, which has been dealt in a chapter headed 'Bombay Investigation'. But assuming he was making an inquiry to work out the information, he was acting as a police detective whose duty it was to obtain intelligence concerning the commission or

design to commit a cognisable offence. A part of the conspiracy was entered into in Bombay city and even if it was the commission of an offence outside, Nagarvala as the head of the detective agency was performing a statutory duty otherwise it would be officiousness on his part and his order of arresting Badge on 24th would be wholly without jurisdiction.

18.142 Trunkcall to Sanjevi must have been made by Nagarvala and Rana after 7 O'clock and both Rana and Nagarvala talked to Sanjevi. The most important part of the talk was that Nagarvala told Sanjevi that the situation was serious and effective steps should be taken to protect the life of Mahatma Gandhi and he told Sanjevi that there was a gang whose objective was to kidnap Mahatma Gandhi. He gave this information to Rana also. Ex.8 dated 30 January, 1948, is a letter confirmatory of what he had talked on telephone with Sanjevi. (It is very strange that Sanjevi, who outranked both Nagarvala and Rana, did not tick them off for propagating nonsensical theories. Sanjevi knew more than both these officers because by then Madanlal had made an extensive confession to his officers. What prevented him from ordering Nagarvala and Rana to stop wasting time and get on with the investigation will never be known.)

18.152 Nagarvala claimed that Morarji Desai did not give him any information about the editor of the *Hindu Rashtra* or *Agranee*. For the first time, he heard the name Godse, was when the B.B.C. gave the news at 7.30 p.m. IST on 30 January 1948.

18.153 In regard to Badge, Nagarvala said that he was hiding in Poona jungles because that is the information the contacts had given him. When his attention was drawn to the statement of Badge that he was attending to his normal work in Poona and that he was staying in his house from 23rd to 31 st January, Nagarvala replied that it would not be in the 'case diary' that his contacts in Bombay had informed him that Badge was hiding in the jungles of Poona.

18.156 After Morarji Desai's orders, when he started making inquiries, a lot of information was coming from numerous sources. In that context, Badge was being looked for. The names of Karkare and Badge appeared prominently in the first Crime Report. Karkare's connections were seen and they were looking for Badge. After 20th January, Badge had completely disappeared from the conspiracy. In view of all that, information about Badge had to be verified. Nagarvala said that he was treating Karkare as

(an) associate of Madanlal but there was nothing to show that Badge was also an associate.

18.161 When asked if Rana had discussed the statement of Madanlal with him, he replied that Madanlal's statement was given to him and hardly had he read one or two pages when Rana took it back from him. He also told Rana that he was in touch with Ahmednagar and every effort was being made to locate Karkare. But the statement of Madanlal was not discussed after the telephone call nor before.

18.162 Nagarvala said that reading of the statement of Madanlal, Ex.1, would have made no difference as whatever had to be done in regard to it was to be done at Poona which was outside his jurisdiction. As far as he remembered, the statement which Rana brought was a typed copy on a slightly coloured paper, it was pinkish.

18.164 The culprits, he said, were not residing in Bombay; they came to Thana and escaped from Santa Cruz by air but they were not identified by the Police there. Karkare, he said, had left by train from Kalyan in Thana district and he (Nagarvala) himself was operating only within his jurisdiction.

Note—It may be mentioned that Karkare did not leave from Kalyan but took the train for Delhi from the Central Station (Bombay Central) and the other two, Apte and Godse were staying in Bombay Hotels up to the morning of the 27th, both well within Nagarvala's jurisdiction.

18.166 The Crime Report also showed that inquiries had been made about Badge also but Badge never came to Bombay, so the question of his identification never arose. Nagarvala discussed with Rana what he had already done but Madanlal's statement was not discussed. He kept a small diary in which he had some names which were the names in the Crime Report. Badge's name was also there. When a portion of Rana's letter addressed to Kamte was read out to Nagarvala, he said that it was incorrect that persons mentioned by Madanlal were hiding in Bombay. He said that he had done his job and he was quite satisfied with what he had done.

Nagarvala could not be bothered that his satisfaction with having done his job had been largely responsible for helping Nathuram Godse murder Gandhi, but then according to Nagarvala's way of reasoning the deed was done in Delhi which was outside his jurisdiction.

18.169 The Commission would like to remark that Badge was arrested on 31 January after the murder and his house was searched. The order for

his arrest on 24th apparently was because he was suspected to be connected with Karkare. It would have been fruitful if at that stage the aid of Poona Police had been sought. An earlier arrest should have been more useful.

18.171 Nagarvala said that it was correct that he wanted the Delhi Police Officers to interrogate Avatar Singh but they were not prepared to do so. He could not force them because they were not prepared to do so. He could not force them because they were not subordinate to him. He got the statement of Madanlal on 5 February 1948. He also said that the house of Savarkar was kept constantly under watch and he could not say where Bharucha, the Commissioner of Police, Bombay, got his information from that the conspirators visited the house of Savarkar and still they were not detected.

Nagarvala claims that Savarkar's home was continuously under watch but on 31st after the murder when it came under attack, where were his watchers? Since his department did not know who to look out for, how would they have known whether the conspirators had visited Savarkar's home or not?

18.178 Nagarvala stated that from their police statement it appears that both Nathuram Godse and Apte were staying in the Elphinstone Hotel, and Arya Pathik Ashram under assumed names as from 23rd when they came to Bombay by Calcutta Punjab Mail up to the 27th when the left Bombay for Delhi by air but at that time he had no knowledge of their being in the conspiracy.

18.179 It therefore, appears that after the bomb was thrown and N.D. Apte returned to Bombay he stayed in the Ashram under an assumed name although the owner of the Ashram knew what his correct name was. It is surprising that he was allowed to do so with the knowledge and connivance of the owner.

18.181 At this stage Counsel for the Government of India made a statement saying that his case was not that Karkare was at Ahmednagar during the period 21st to the time of his arrest but his case was that if information had been given to Ahmednagar Police the whereabouts of Karkare could be more effectively found out. The Commission wholly disagrees with this view. Ahmednagar Police knew nothing about Karkare's whereabouts and cared less. But they did have a full record of his activities and knew that he was an associate of N.D. Apte and that could have been available to the Bombay Police.

18.185 When asked about finding out from Ahmednagar Police as to the associates of Karkare. He said that he found out from Ahmednagar Police that Karkare was not there and he did not make any further inquiries but continued his inquiries in Bombay about him and his associates. He did not ask his brother to give the names of Karkare's associates. 'Question of associates would have arisen if he would have got Karkare because people who came and saw Karkare did not become his associates.' He said that the D.S.P, Ahmednagar could not have thrown more light on Karkare. The persons who were on his list were not necessarily associates of Karkare; those were names of persons who were anti-Mahatma Gandhi and might kidnap him and do harm to him. One of the main objects of writing the Crime Report at that stage was that it might not later on be said that associating the name of Savarkar with the conspiracy was an after thought.

18.188 During the course of his inquiry and from the information received he had reason to believe that there was a gang which was likely to kidnap the Mahatma. He was not obsessed by any theory much less kidnapping theory. He added that if information regarding kidnapping persistently came in and was credibly correct, howsoever much one might disagree with it one had to work on it. The purpose of kidnapping as far as he knew was that if Mahatma was not there the 55 crores would not have been paid to Pakistan.

18.189 In Ex.7, paragraph 8, Sanjevi had stated:

'I asked him about the absconding accused whose names or descriptions were given to the Delhi Police by Madanlal. Nagarvala told me that he would send me a detailed note on the investigation made at Bombay City and elsewhere in the Province by air the next day.'

Nagarvala was given an opportunity to reply to this matter and his reply was that the statement in Paragraph 8 was not correct and that Sanjevi in his telephonic talk never asked him about any absconding accused. In his conversation with Sanjevi, Nagarvala had mainly referred to the information which he had received about the conspiracy to kidnap Mahatma Gandhi by a large gang. It was his practice to confirm by letter the substance of a telephonic talk and he, therefore, sent a confirmatory letter on 30 January 1948 summarising the talk which he had with Sanjevi on the telephone and the letter is a correct record of the talk he said.

18.192 He did mention about the kidnapping theory to Morarji Desai and if the latter says that he did not then it must be a lapse of his memory. (One

thing that no one could accuse Morarji Desai was a lapse of memory, till his death, at ninety-eight, the man possessed a remarkably efficient memory. He recollected events in the minutest details, and was not habituated of embellishing or editing.) He met the Home Minister several times between the 20th and 30th January in connection with the information which the Home minister had given him.

18.197 Evidence has been produced before the Commission contained in Intelligence Bureau file No. 13/HA(R)/59-II, Ex.224-A which contains certain documents which if they had been obtained earlier might have been of great assistance in the investigation or inquiry which was going on at Bombay. Chaubal of the office of the D.I.G., C.I.D. sent to Nagarvala after the murder a document giving the list of relatives and associates of Karkare and amongst them was N.D. Apte, and the next document of importance is a letter with which were sent three copies of photographs of V.R. Karkare and his descriptive role. Along with this photograph of Karkare were sent three copies of the photograph of Apte so that reference to the D.I.G., C.I.D. Poona would have been most useful even for Nagarvala's inquiry or working out the information given to him by the Home minister.

18.199 The evidence of Police witnesses from Ahmednagar shows that they had a complete dossier on the activities of Madanlal and Karkare. As a matter of fact it was S. I. Balkundi who furnished the information to Dy. Supdt. Chaubal about Karkare and his association with Apte. If the District police of Ahmednagar had been asked it seems not only possible but probable that the information and photograph of Karkare supplied after the murder would have been supplied earlier.

18.201 The Commission has been thinking as to how the idea of kidnapping came to be considered the objective of the conspirators by Bombay Police. One explanation may be (the) faulty understanding of the Punjabi language by the contacts and informers because many Punjabi words sound alike though they are different words and some times same words have different meanings in different contexts e.g. *'Dus'* meaning ten and also 'to show'. This may be highly conjectural an explanation but the theory of kidnapping was so astounding that some such mistake must have led to its being considered respectable.

J.S. BHARUCHA'S STATEMENT—WIT. 22

18.202 J.S. Bharucha, IP, was Commissioner of Police, Bombay, witness No. 22, during the period with which the inquiry is concerned.

18.204 His information was that the Delhi Police did come to Bombay but they did not do very much and Nagarvala told him that they were not of much use. After the murder, he (Bharucha) asked Nagarvala as to why he did not tell him anything about Professor Jain and his reply was that Morarji Desai had asked him to keep the whole thing confidential. Morarji Desai dealt with the police directly, although the orders to the police should have come through the Home Secretary.

18.205 He was shown Ex5-A and asked if he would be able to make anything of it. His reply was 'yes' and he would be able to do so particularly in regard to the Editor '*Hindu Rashtra*' and *'Agranee'* and also Karkare. From Ex. 5-A it should have been possible for the Bombay Police to find out from the Poona Police as to who the conspirators were. He was for two months D.S.P. of Poona and at that time he must have known something about Nathuram Godse. If he had been told that Nathuram had met Savarkar, he would have got in touch with the Poona Police and tried to locate the companions of Madanlal. He did not think that Poona Police was pro-RSS. If there was cooperation between Bombay Police and Poona District Police and C.I.D. Poona, arrest of conspirators would not have been difficult, and if Bombay Police had got in touch with Angarkar and Gurtu and Kamte, it would not have been 'difficult to nip the controversy in the bud'.

18.208 Rana, when he returned from Delhi did not meet this witness and, therefore, he never came to know about the statement of Madanlal. He was asked about what he should have done knowing that a bomb had been thrown at Mahatma Gandhi's meeting. His reply was as follows:

Q. 'When you came to know that a bomb had been thrown at Mahatma Gandhi's meeting by a person who was a refugee from West Punjab but then living in Bombay, would it not have been your ordinary duty to find out who this man was, who his other co-conspirators were and how serious the matter was?'

A. 'From the information that I had, I did not think it was serious enough for me to initiate any investigation myself. I remember I did not do anything. Nobody thought it to be so serious as it turned out to be.'

18.209 In cross-examination he stated that he could not remember if during the time that he was D.S.P, Poona he came to know anything about

the conspiracy to murder. He surprisingly replied, 'I do not remember'. He could not remember if Apte was arrested during his term of office. During the investigation of the bomb case he had no information about the conspiracy to kidnap Mahatma Gandhi, nor that the Deputy Commissioner was working on it. He could not exactly remember what Nagarvala told him about the visit of the Delhi Police officers.

18.210 He did not know at that time that Savarkar's house was being watched. As it was an important matter, information should have been given to him. After the murder, he met Savarkar, who told him (Bharucha) that he had nothing to do with Gandhiji's murder. From that Bharucha concluded that there was something wrong. He immediately went and met Morarji Desai and told him that he suspected Savarkar and also told him what Savarkar had said to him. Morarji Desai said to Bharucha, 'Why do you not arrest him?' at that time Savarkar was really ill and Bharucha told Morarji Desai about it. Nagarvala had deposed that Savarkar was feigning illness.

Chapter XIX of the Kapur Commission's Report deals with the communal Hindu organisations, Hindu Mahasabha, RSS and the Hindu Rashtra Dal.

19.19 R.K. Khadilkar, witness No. 97, said that they felt at the time that the kind of fanaticism they were having in Poona among the Hindu Sabha circles would lead to violence. The danger to Mahatma Gandhi, he added, came from Hindu fanatics i.e. the small section of Hindu Rashtra Dal which was part of Hindu Mahasabha and RSS.

19.21 R.S. Gurtu, witness No. 22, stated that reports came to him about the communal activities of Nathuram Godse, Karkare, Apte, Badge and several others. They carried on propaganda against Gandhiji's policies qua Muslims but he could not remember if there were any propaganda for doing harm to Mahatma Gandhi, least of all murdering him. There were reports of their preparing bombs but that they were not meant to be used against Mahatma Gandhi. When he heard about the bomb explosion at Birla House, he had a vague suspicion that that might be the work of Hindu Mahasabha and RSS group. But he had no idea that it was the work of Godse group.

19.27 Another document which is demonstrative of the attitude of Nathuram Godse, is Ex. 71 which is a Marathi record of the proceedings of a meeting of the Hindu Mahasabha held at Shivaji Mandir on 28 November 1947, at 6.30 pm The audience was about two thousand and the speakers were V.B. Gogte and N.V. Godse. The subject of the speeches was 'Hindu

Nation and Jayprakash Narayan', and was a quick reply to J.P. Narayan's speech made in Poona. The speakers ridiculed Jayprakash Narayan about his socialism and accused the socialists of helping in the creation of Pakistan and the Partition of India and its consequences. At that meeting Nathuram Godse said: 'Allegations have been made that the Sangh and the Hindu Sabha have hatched a conspiracy to murder Pandit Nehru because he said that he would brandish his sword on behalf of the British Government for finishing Subhash Babu as he was a traitor.'

There was some reference to Mahatma Gandhi also and that Socialism was the unclaimed progeny of Gandhism. The speech ended with 'The Hindu Mahasabha and the Sangh have been subjected to criticism. The main reason is that they saw *'Kansa'*.

ACTIVITIES OF HINDU MAHASABHA IN DELHI

19.32 The Abstract of Intelligence dated 31 January 1948, Ex. 136, also gives the activities of the Hindu Mahasabha. It shows that a procession was taken out on 25 January in connection with Arya Samaj Anniversary. Swami Dharmananda said that the fast undertaken by Mahatma Gandhi has spoiled 'the show' to remove Muslims from Delhi.

19.35 Prof. Ram Singh was examined by the Commission as witness No. 75. He put the position of Hindu Mahasabha as follows: 'It was opposed to the partition and was trying to undo the disadvantages thereof. It was in favour of all Hindus being brought safe to India from Pakistan. It was opposed to the policy of Mahatma Gandhi of placating the Muslims and keeping them in India and getting the mosques vacated which had been taken possession of by Hindus and Sikhs, who had placed their deities and religious symbols there. It was also opposed to keeping Muslim houses vacant when Hindus and Sikhs were without shelter and pregnant Hindu women were giving birth to children and had nowhere to go to. It was also opposed to 55 crores being placed at the disposal of Pakistan to continue its Kashmir war. He said that he was not in favour of murder of Mahatma Gandhi and no Hindusabhaite was. The Hindu Mahasabha was not in favour of assassination of leaders and they were not responsible for the shouting of *'Madanlal Zindabad'*.

THE RSS IN BOMBAY PROVINCE

19.42 The activities of the RSS and the Hindu Mahasabha must have come to the notice and been under the consideration of the Bombay Government in 1947; because we find that in confidential secret document Ex 177 B.G. Kher, the then Premier, made three suggestions regarding these bodies, that (1) complete list of officers and members of the RSS be collected by the police and submitted to Government; (ii) similar order as to the leaders of the Hindu Mahasabha organisations, and (iii) strict watch be kept on the operation of the two organisations. There was no date on this order but on August 7 1947, Morarji Desai issued an order to the D.I.G., C.I.D. and to the Commissioner of Police, Bombay to get the requisite information within 10 days; the information should be discretely obtained and must be correct and complete in all respects.

19.45 It does not appear that any separate list was prepared of the RSS by the D.I.G., C.I.D., nor does this list show that the various persons whose names are given in this list were members of the RSS. But there is evidence to show that many RSS members were members of the Hindu Mahasabha. This list contains the names of Nathuram Godse who is known as a staunch Savarkarite, of N.D. Apte who is shown as potentially dangerous, of G.V. Ketkar shown as a staunch Savarkarite and the brain behind Hindu Sabha activities and influential, N.R. Athawale also shown as potentially dangerous and staunch Savarkarite, and D.R. Badge is also shown as potentially dangerous and dealer in unlicensed arms.

19.46 to this is added another list, Ex.ll4-A, which is of Ahmednagar. It mentions N.R. Karkare as a smuggler of arms, coworker of N.D. Apte and potentially dangerous. But both Ex. 114 and Ex.114-A are provincial lists. The district list of Ahmednagar does not give all this elaborate information.

19.55 We may take up the evidence relating to the activities of the RSS at Delhi. Bannerjee, witness No 19 has stated:

'Some of the activities of the RSS were considered to be anti-social and objectionable and the feeling was that Government was showing itself rather tardy in dealing with this organisation.'

19.64 On page 687 of his book Pyarelal has said the following:

'The RSS was a communalist, para-military, Fascist organisation, controlled from Maharashtra. The key-positions were held almost exclusively by the Maharashtrians. Their declared object was to set up Hindu Raj. They had adopted the slogan 'Muslims clear out of India'. At the time they were not very active, at least overtly, but it was being darkly

hinted that they were only waiting for all the Hindus and Sikhs in West Pakistan to be evacuated. They would then wreak full vengeance on the Indian Muslims for what Pakistan had done.

19.67 On or about 12 September 1947 the head of the RSS called upon Gandhiji and told him that they were not for killing of Muslims, but for protection of Hindus i.e. they were a protective and not destructive force and that RSS stood for peace. But when the Mahatma asked them to openly repudiate the allegations and condemn killings and harassment of Muslims they said that Gandhi could do it himself. A few days later the leaders of the RSS took Gandhiji to attend one of their rallies which they were holding at the Sweeper's Colony. They welcomed Gandhiji and called him a great man that Hinduism had produced. In reply Gandhiji said that he was proud of being a Hindu but his Hinduism was not intolerant not exclusive.

19.72 According to the diary of Manibehn Patel dated 1 February 1948, 'Members of the RSS came and said to Sardar that their organisation was not involved in the murder.'

This is a strange revelation since on the evening of 31 January immediately after the funeral a meeting of senior members of the Cabinet, bureaucrats and police was held and a decision was taken to ban the RSS and Hindu Mahasabha, and yet the Union Home minister's daughter reveals that her father received members of the RSS at his official home, the next morning.

19.75 The criticism by communist workers, socialists etc. had sent the local Hindu Mahasabha members 'in high dungeon'. There was an increased activity on the part of the RSS workers and their meetings were addressed by many prominent Hindus calling upon the people to strengthen the RSS. It also shows that the RSS and Hindu Mahasabha leaders at Poona were, 'to say the least, alike to each other'.

ACTIVITIES OF THE HINDU RASHTRA DAL

19.82 A brief history. On 15 May 1942, V.D. Savarkar, President of the Hindu Mahasabha addressed the volunteers at the training camp of the organisation at Poona and emphasised the necessity of forming volunteer organisation for secret activities, as that could not be undertaken by the Sabha. As a consequence of this Hindu Mahasabha leaders such as S.R. Date, V.V. Gogte, N.D. Apte and N.V. Godse founded the Hindu Rashtra Dal at Poona with the object of assisting the Hindu Sabha activities. But

they made no effort in popularising the movement of the Dal or to increase its membership.

19.83 In May 1943, N.D. Apte and N.V. Godse organised a second annual training camp of the Dal at Ahmednagar. 70 volunteers from Marathi speaking districts of Bombay Province and Marathi speaking Indian States attended the camp. Volunteers were trained in the use of firearms, and indoctrinated with Savarkar ideology.

19.84 On May 29 1943, VD. Savarkar held private discussions with the Hindu Rashtra Dal in Anandashram, Poona. He required the volunteers to owe an implicit allegiance to him irrespective of who the President of Hindu Mahasabha was, the Dal was to remain a distinct body, its primary duty being to protect Hindudom and render help to every Hindu institution in their attempt to oppose encroachment on their rights and religion. Savarkar ideology was attainment of Hindudom, opposition of Pakistan and indivisibility of India.

19.85 Membership of the Dal. There were 150 members of the Dalat Poona. The office bearers were—

(1) N.V. Godse, Editor of *Agranee*, Chief Organiser.
(2) Kashinath Limaye, Sangli.
(3) N.D. Apte, Secretary.
(4) Prof. R.S. Jog of Ferguson College, Organiser.

19.86 The activities of the Dal were confined to maintaining order during Hindu Mahasabha meetings and enrolling of Hindu Mahasabha members. On 22 June 1944, 15 Hindu Rashtra Dal volunteers led by N.D. Apte staged demonstrations against Gandhiji at Panchgani. Nathuram Godse made an abortive attempt to assault Mahatma Gandhi.

19.88 The object of the Dal was stated to be the propagation of 'Hindu Rashtra Vad as propounded by Vir Savarkarji' called Savarkarism.

19.89 Savarkar as the dictator nominated—S.V. Modak of Satara and P.V. Gothaskar as the next dictator and General Secretary. Savarkar spoke about Muslim atrocities in the Punjab, Bengal and N.W.F.P and said that they would not stop until the Hindus retaliated in the same spirit including raping Muslim women and destroying mosques, etc. if Hindu women and Hindu places of worship were treated in that manner. Savarkar advised the Dal volunteers to oppose the Constitution to be framed by the Constituent Assembly if it was against the interests of Hindus and Hindudom.

19.92 Nathuram Godse's statement, in Court, also shows that on January 16, 1944, Godse and Apte decided to start a newspaper to give publicity to the work of Hindu Mahasabha and Rs. 15,000/- were given as a loan by Savarkar, the first issue of *Agranee* appeared on 25 March 1944. It ceased publication under this name in July 1947 because of the demand of Rs. 5,000/- as security deposit on 3 July 1947 under the Press Emergency Powers Act and soon after on 15 July 1947, it restarted under the name of the *Hindu Rashtra*, which cannot be a credit to the efficacy of the Press Act. N.V Godse was the Editor of both these papers. N.D. Apte was the proprietor of the *Agranee* and the *Hindu Rashtra* was owned by a private company of which the shareholders were N.D. Apte and N. V. Godse and this continued to be published till 31 January 1948. Godse was arrested on the 30th, i.e. a day before.

19.93 The following extracts, translated into English from Marathi, of the editorials published in the *Agranee* and the *Hindu Rashtra* reflect the anti-Gandhi policy of these newspapers, and the mentality of its editor, Nathuram V. Godse:

***The Agranee*, dt. 12th April 1947:**

'The thirst for blood of the advocate of non-violence has not been quenched.'

'Gandhi who cherishes (lit. taken to heart) as his life time ideal to annihilate the mentality of resistence of the Hindus by advocating unilateral non-violence, has now clearly stated in his post prayer speech that he is anxious to see (Barrister) Jinnah adorn the Presidential chair (lit. Presidentship) of Independent India. Gandhi had already revealed his pro-Islam slavish mentality, at the beginning of his political career (lit. life) by inviting the Amir of Afghanistan to invade India under the gorgeous pretext (lit. name) of achieving independence. After that by raising the issue that some imposter's rule might be established in India as a result of anarchy due to war, this false (lit. nominal) devotee of freedom and his hypocritical worship of truth and non-violence was eager to place the crown of India's sovereignty on the head of the Nizam and to pay respects to (lit. to wave the five lamped platter round the face of) such a Nizam. Gandhiji had already tried to entrust power again to Jinnah through the mouth of Rajaji by offering (Barrister) Jinnah the Prime Ministership of the interim Government, and now feeling definitely that independence is knocking at

the door, this 'quisling' of the Hindu nation is openly wooing (Jinnah) saying (Barrister) Jinnahbhai why do you demand only Pakistan, that is India's one third or one fourth? Why do you not accept when this humble servant is prepared to offer at your feet the whole of India? From this, we are constrained to say that the thirst for Hindu blood which this 'Mohatma', (which means a 'lustful soul', the editor is parodying the honourific title Mahatma) is feeling has not yet been satisfied'.

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'Gandhi, Commit Suicide'

It is the height of (lit. to reach the height of) shamelessness that the coward who cannot do without taking the aid of the police and soldiers so that no harm is done to his person, the touch of whose feet converts many an Ahilya occupying Minister's post into Shurpankha's, who can not step forward in carrying on the administration without bombs, cannons and British soldiers, should advice (the Hindus) to sacrifice themselves without offering resistance. Does the Sultan blinded by power consider the blood of the Hindu people as not worth a pie (penny), so that this Bania who is a traitor to his community (meaning Mahatma Gandhi) should despite the flowing of several rivers of it, devise fresh means of satisfying the blood thirst of these monstrous aggressors. Does he not think the bloodshed at Noakhali, Punjab and Bihar as adequate? We clearly tell Gandhi that if the rivers of Hindu blood that he has made to flow or the encouragement that he has indirectly given to such outrages, by the advocacy of which cowardly philosophy, is at least to be partially undone, then Gandhiji should accept the defeat of his cowardly and worthless non-violence and should, for the defence of his self-respect (if any is left of it) commit suicide; if not, he should bid goodbye for ever to Indian Politics. Does this Sokaji who has been so generous about the lives of others consider lakhs of his countrymen? Is it not the duty of the people to determine from this the real worth of this hypocritical patriot'?

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***Hindu Rashtra,* dated 7-6-1947**

Hindu Rashtra Sevak Badge Arrested

Poona, Dt. 6-6-1947. — 'The Police (B. Sub) arrested tonight at 8.30 under 19F of the Arms Act, Hindu Rashtra Sevak, H.N. Badge, the Manager of the Maharashtra Shastra Bhandar here. He was immediately released on bail. Now the prosecution is launched (lit. started) against Badge for the second time'.

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***Hindu Rashtra,* Dt. 3-7-1947**

'The *Agranee* has received several letters (requesting) 'Write something about this day-to-day and send more copies'. That means the object is that they want something like curses on (lit. abuses to Congressmen and opposition to the Muslims). But what have today's young men done so that the devotees of Hindutva who have tolerated today for years together the timid rule of the Congress, should be glorified'.

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'This today's youth (?) who is devotee of Hindutva reads everyday the news that today the Congressmen arrested more Hindus, Jawaharlal killed Hindus only; Vallabhbhai tolerated the molestation of a Hindu woman and Gandhi (lit. and what of Gandhi) he is always eager to start for a tour in order to annex every day a new province to Pakistan.

After reading this news what else has the youth who is devotee of Hindutva done beyond saying that the Congressmen are cowards and anti-Hindu?

'If you cannot do anything else, you should remain bearing silently that which is in existence. You should not at all make a tom tom ofyour devotion to Hindutva'!

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Translation of Bhalji Pendharkar's message on the observance of the Black Day, 3 July, appearing in the *Dainik Agranee*, *Hindu Rashtra* dt. 6 July 1947.

'My sad, distressed and perhaps despondent Hindu brothers! This is such a black day, forced on us by those who have black marketeered in the nation

(as a commodity) that every Hindu, every patriot should protest against it at the top of his voice until the threat gives way and the chest bursts. And it is a matter of great shame that some weaklings accidentally (lit. by mistake) born in Maharashtra, should come and justify this partition in this capital of the Chhatrapati.... The partitioner's of *Akhand Bharat* be condemned a hundred times.' These are the remarks touching the hearts of every Hindu, made by Bhalji Pendharkar in a letter sent from his sick bed on the occasion of the Kolhapur 'Black Day'.

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***Dainik Hindu Rashtra,* Dt. 6th September 1947.**

Non-resisting tendency (which is) accomplished easily by animals
'The strenuous nature (of the effort) made by Gandhi and his followers (lit. Gandhi people) to make the Hindu community assimilate the revengeless and non-violent tendency like that which sheep and goats have made their own is understood. There is no reason to blame them (Gandhi and his followers) for it. But when even Dr. Shyama Prasad following in the footsteps of an imbecile Prime Minister like Pandit Jawaharlal issues a statement and when persons who call themselves the leaders of the Hindu Sabha like Barrister Chatterjee the President of the Bengal Hindu Sabha and Devendranath Mukerji, the Secretary, feel agonised at the fast of Gandhi which has an ill will against the Hindus, we are inclined to say this much that it is necessary that the Hindusabha should give more serious consideration to its health, (lit. constitution)'.

***Dainik Hindu Rashtra,* dt. 7 September 1947.**
'The Swaraj which the Congress has got is engaged in taking out tours with Liaquat Ali, while (Mahatma) Gandhi, the deity of its Swaraj, is busy showing the scene (by way) of drinking lime (lit. *Musambi)* juice in Suhrawardy's cup'.

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'And if anyone has really the urge for Akhand Hindustan (lit. undivided India) and if a feeling of sacrificing one's own life for its sake has been

created, then do not strike at a wrong place! Remove 'these obstacles (lit. bolts)! The flood of Indian bravery will in no time integrate the whole of India into one.

Of course all this (will be done) by peaceful ways of elections, meetings, propaganda, etc! What more than that can we tell'?

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***Dainik Hindu Rashtra,* dt. 16th December 1947.**

Pakistani Reward for Congress Betrayal of the Hindus.

'Gandhi, father of all these wicked conspiracies, is openly propagating that Hindi should not be the National Language. Power is an intoxicating substance. Similarly, the support of the majority too is an intoxicating influence. The Congressmen have become intoxicated today with this drug'.

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19.94 There are some other extracts from the *'Agranee'* which also show the trend of opinion of its editor. Ex. 152 is of the issue of 6 July 1947, which refers to the arrest of Athawale, Secretary of the Hindu Mahasabha in connection with the bomb outrage and his arrest. The significant portions of the article are these: that it is gratifying to know that the Government suspects Hindu Mahasabha workers to be members of bomb conspiracies, that other workers are likely to be involved including Godse, that the Congress Government seeks the satisfaction of obstructing Hindu Sabha Movement by these arrests. That the *'Agranee'* may stop but the Black Day observance of the 3rd July is the beginning of the fight of Hindutva.

In Chapter XX The Kapur Commission's report deals with G.V. Ketkar and others.

20.1 G.V. Ketkar, witness No. 1 is a prominent citizen of Poona. He is a grandson (daughter's son) of the great Indian Leader the Late Bal Gangadhar 'Lokmanya' Tilak. He was the editor of the *'Kesari'*, Tilak's paper, and was at one time the President of the Provincial Congress Committee of Bombay Province and took part in the Salt Satyagraha—*Dandi Kooch*—in 1930.

20.30 A very significant part of his statement showing his association with Nathuram Godse, rather a close one at that, is at page 15, Vol. I, in an answer to a question—

Q. 'Have you anything more to say about these matters (terms of reference)?'

A. 'I do not think I have to add anything to these matters. I was told that some letters were sent by Nathuram Godse before his execution to his relatives and friends. Those letters were never sent to the addressees. I wrote to the jail authorities in March 1965, and I was told that they were sent to the Inspector General of Prisons. I want the letter addressed to me, if any, to be given to me or to the Commission because that would, I am sure, corroborate my statement that I tried to dissuade them from committing this murder.'

20.35 When asked why he did not report or inform anyone about Apte and Godse after his meeting with Badge when previously on the basis of a mere speech with sinister words he had asked Balukaka to inform Government of the intention of Godse, his answer was—

'I was editor at that time. I had no time to go and see Balukaka. Badge said to me that bomb attempt itself was an attempt to murder and that they were going again. As I had abused him, he (Badge) ran away.'

When asked what inference he drew from the talk he had on the three occasions above referred to, his answer was —

'Mahatma Gandhi was alone to be killed.... I did not know the place where the attack on Mahatma Gandhi would take place.'

He added —

'I knew that Godse was going to kill Mahatma Gandhi because he himself told me and Apte was going to be the helper. I did not know what means they were going to adopt to kill.... I did not infer from the talks I had that there was a conspiracy to murder Mahatma Gandhi. I was under the impression that only Godse was going to commit murder.'

20.36 This was his information up to 22 January 1948. It was after he met Badge that he (Ketkar) discovered that more than one person were going to take part in the murder.

20.50 In paragraph 33, of the review petition filed by Ketkar regarding his detention after the disclosures he made about the conspiracy at the function held to felicitate Karkare and Gopal Godse on their release, Ketkar mentioned that when, on the midday of Sunday, 22 November 1964, he was

showing some Americans round Poona city and was near the Jain Mandir Bus Stop some boys collected around him and put a garland of shoes round his neck and told the Americans that he (Ketkar) was a traitor, showing there by that there was a violent propaganda against him.

20.51 Three things emerge from this petition —

(1) Three months before the murder, N.V. Godse disclosed to Ketkar his idea of murdering Mahatma Gandhi and he admonished him and tried to dissuade him. We shall leave the story of discussing pros and cons of murdering Mahatma Gandhi.

(2) A few months before that Godse made a speech about Mahatma living 125 years, etc. Ketkar met Balukaka Kanitkar and urged him to warn the Government which Balukaka did. He spoke to Balukaka about the speech and the corroborative private talk he had with Nathuram Godse.

(3) Badge met Ketkar after the bomb throwing and disclosed the names of the participants in that bomb throwing and also that they were returning to Delhi to commit the murder.

20.54 Ketkar was asked to explain what he meant by saying in his letter to this Commission dated 14 September 1965, Ex. 19, About the fearful and disastrous consequences that would result if Godse carries out the idea'. His reply is significant; he says, 'What I meant was that there would be public agitation. Political parties, i.e. the Congress and non-Congress parties would fight amongst themselves and Brahmin and non-Brahmin controversy may flare up.' He has used the word, 'Bhayankar', which means 'awfully disastrous'.

20.60 In his cross examination, Ketkar told the Commission that he knew of the intention to murder and not the plan, and that there were three occasions when he came to know of this. He did not know about Apte's being in it till Badge told him. He knew Apte only by name and sight which, in the opinion of the Commission, is the antithesis of truth, as is shown by the fact that he stood surety for Apte in the Library Bomb Case.

20.61 After Ketkar's petition to the reviewing authority was dismissed, he filed a petition under Section 491 of the Criminal Procedure Code in the High Court of Bombay but this petition was also dismissed by a judgement of the Bombay High Court dated 21 July 1965. Some facts stated in the petition and the findings of the Bombay High Court are relevant and may usefully be set out here:

— The learned Judges have said, 'According to him (Ketkar), the two Governments felt themselves embarrassed, because the petitioner had disclosed that he had informed B.G. Kher, the then Chief Minister of Bombay, about the 'plan' to murder Mahatma Gandhi and yet no action was taken to prevent the commission of the offence'. Significantly the judgement has used the word 'plan', and not 'intention'.

In the affidavit filed by the District Magistrate in reply to Ketkar's affidavit, he said that Ketkar was invalid because he belonged to the group of persons who believed that Nathuram Godse had been of service to India by assassinating Mahatma Gandhi, and that all the persons who gathered at the function shared that view which was reflected in the speeches delivered there.

The speech delivered by Ketkar showed, according to the affidavit of the District Magistrate, a pre-knowledge of 'the conspiracy' which had been hatched to murder the Mahatma.

In all probability, the correspondent of the 'Indian Express' was also present, and the fact that a number of photographs of persons on the dais, including Ketkar, were taken at the time and produced before the High Court was corroborative of the function being attended by persons other than invitees. These photographs are before the Commission and show that publicity was given to the meeting and its proceedings, and whatever else it might have been, it was not private.

Ketkar had prior knowledge of the Nathuram Godse 'idea', plan or intention to murder Mahatma Gandhi, and that even if he did write through Balukaka Kanitkar the statement of Ketkar in his affidavit was vague, and that on the material, on the record the Court could not hold that Ketkar made it clear to the audience that he 'did not like the idea of Nathuram Godse contemplating the murder of Mahatma Gandhi'.

'According to the District Magistrate, the speech delivered by the petitioner was objectionable and in a sense inflammatory. To refer to Nathuram Godse as a *'Deshbhakt'* patriot and to eulogise him for the act committed by him cannot be treated as a legal or innocuous activity. It may be that it is possible to make a distinction between the eulogy of the assassin for his individual qualities and the eulogy for the act done by him or the praise of the act itself. But that distinction can be made by people of intelligence, ability and subtlety. It is difficult for the ordinary people to understand the subtle distinctions between the two positions.

Now, if as a result of indiscriminate praise of Nathuram Godse, the assassin of Mahatma Gandhi, the District Magistrate apprehends that breach of the peace was likely.

— The Court rejected the submissions by the counsel for Ketkar that the order passed was malafied and was the result of questions asked in the Assembly and in Parliament or that they were the result of any direction given by the Central Government or the State Government or was the consequence of any pressure.

On these grounds the High Court dismissed Ketkar's *habeas corpus* petition.

THE STATEMENT OF BALUKAKA KANITKAR

20.102 The next document that is relevant in this connection is Ex. 81, dated 10 May 1948, which is Balukaka Kanitkar's statement made to the Police in the Gandhi Murder Case. He stated that in the second week of July 1947 Nathuram Godse under the presidentship of N.D. Apte in Shivaji Mandir in Poona delivered a lecture at which thousands of persons were present including Balukaka himself. In that Nathuram Godse stated that constitutional methods had failed and Hindu Mahasabha had no money and organisers to fight elections. He suggested that they should form secret organisations and take to revolutionary methods and he also hinted that the time had come to do away with the leadership of some of the top ranking Congressmen. There were a number of RSS volunteers there and after the meeting was over, Balukaka Kanitkar heard some of them say that Nathuram was right and that Gandhiji and Nehru were thorns in the establishment of Hindu Raj and hence they should be removed from their path, but Balukaka Kanitkar did not know who those volunteers were and would not be able to identify them. As in Balukaka's view the matters might take an ugly turn, he sent a registered letter to B.G. (Balasheb) Kher, who was in Delhi then, giving him the information of the above meeting and also about the atmosphere developing in Bombay. In that letter he suggested that protective measures should be adopted to safeguard the lives of top ranking Congress leaders, particularly Gandhiji.

CROSS-EXAMINATION OF R.K. KHADILKAR.

R.K. Khadilkar, was an M.P. and a member of the Peasant's and Worker's Party.

20.135 Khadilkar was quite outraged by the fact that while a Congress Government was in power an attempt was made on the life of Mahatma Gandhi, because nobody whether Communist, leftist or politician of any other hue, wanted Gandhiji to be injured, much less killed.

20.137 Before the bomb was thrown the atmosphere was poisoned and after the attempt there was alarm. 'The local police intelligence were almost with us and they knew everything', and, therefore, Khadilkar and his party did not inform the authorities of what was happening. This, in the opinion of the Commission, is an inexcusable alibi.

20.144 When asked why he did not convey the true feelings of the people to the authorities, he said that he was at that time a protestant against the Congress and he thought that they would not take him seriously.

20.145 They all sensed danger to Gandhiji from the camp which was advocating Hindu fanaticism and which was in Poona. He was put a specific question whether he connected the movement with Poona, Nagpur, Allahabad, Delhi or some other place, his reply was 'Poona'. He did not agree with Morarji Desai that the danger to Gandhiji was from three quarters e.g. the Hindu Fanatics, the refugees and the Muslims. As far as his knowledge went, the danger was from a small section of Hindu fanatics belonging to Hindu Rashtra Dal. It was the Hindu Mahasabha papers which were bitterly criticising Gandhiji in Poona. These papers were the *'Kal'*, the *'Trikal'*, and the *'Agranee'* or the *'Hindu Rashtra'*.

20.161 On the first term of reference, therefore, the finding of the Commission is that some persons, including G.V Ketkar, had prior knowledge of the danger to Mahatma Gandhi's life, but with the exception of G.V. Ketkar nobody had any information in regard to the conspiracy of which the architect was Nathuram Godse. No other witness, excepting Ketkar, has deposed to the likelihood of any danger to the life of Mahatma Gandhi from Nathuram Godse, still less of any conspiracy.

Chapter XXI deals with the issue if any one had prior knowledge about the murder. The Commission has relied upon the statements of many witnesses. I am not repeating all the statements only some which have not been previously mentioned have been reproduced here.

21.32 Evidently the Home Minister, Sradar Patel, and his personal staff were being misled by stories of trailing and special groups being on their

heels. Brij Kishan Chandiwala stated before the Commission that a police officer had informed him that there were nine conspirators in the bomb case and the police had been able to find out their identity. But what really happened was that the conspirators were eluding all precautions or trailings if there were any.

N.V. GADGIL, WIT. 6 (P)

21.34 The evidence in regard to previous knowledge of N.V. Gadgil really consists of nothing more than what he was told by Keshavrao Jedhe, a member of the Constituent Assembly, and as Gadgil was a member of the Central Cabinet, the Commission has thought it proper to include his evidence under the head 'knowledge of Central Government'.

21.35 The late N.V Gadgil affectionately called Kaka Gadgil was a Minister in the Central Government. He was a prominent resident of Poona. Before he became a Minister he was at the Bar at Poona and was the Secretary of the District Congress Committee, Poona, and was intimately connected with local affairs as he was at one time Vice- President of the Municipality.

21.36 Keshavrao Jedhe used to stay with him. One day Jedhe said to Gadgil: 'Kaka, Punyatli loka kahitari bhayanak ghadvun aannaar ahet, japun raha.', 'Kaka, some people in Poona are out to do something (dangerous) be aware!' Unfortunately, Kakasaheb Gadgil never asked him to elaborate though he says he should have done so. That is because he never thought that Poona people would do anything that would go against Gadgil himself. Jedhe came to Delhi on 15-1-1948 from Poona. He knew that Godse and others had chalked out a plan in Poona and send-offs were being given to them but unfortunately Jedhe told Kaka Gadgil this only on the night of 30th and when Kakasaheb asked him why he did not tell earlier, Jedhe's reply was that he thought that Kaka knew this before. He then disclosed names of three or four persons as well as names of some places but he did not disclose this information to him before the 30th January. There is nothing to indicate that Gadgil conveyed this information to the Police.

21.37 Another portion which is rather important is that within one or two days after 30 January 1948 Gandhiji was to have gone to Wardha because Sardar's idea was that Gandhiji should be persuaded to stay at Wardha and should be spared from the daily complaints from Muslims and the Maulanas.

21.38 Fortunately, Gadgil before his death was examined by Pathak as witness No. 6. There he stated that when Jedhe said to him about being cautious the witness thought that it was something against him personally and his reply was: 'What have I done to raise their anger?' and the reply of Jedhe was: 'All right, I have told you what I heard in Poona' and after that the witness had heard nothing from Jedhe. It is unfortunate that Gadgil did not pursue the matter further with his guest; did not ask him what he meant by the cryptic information that he had given and that he should have left the matter there. But that is what happened, another link in the chain of unfortunate omissions.

21.39 Gadgil further stated that at 8.30 pm after the murder on 30 Jaunary 1948, Jedhe met the witness on the veranda of the witness's house in New Delhi and there he said: 'What I had warned you about has happened.' The witness asked Jedhe to give him the details and his reply was: 'Godse and his friends were being feted as they were leaving to murder Gandhiji. There was a function at Tilak Smarak Mandir'. Thereafter the witness kept quiet and nothing could be done. Gadgil also stated that beyond what Jedhe told him he had no other information.

21.40 Gadgil further said that Sardar Patel 'right up to 5.20 pm on the 30th of January' was trying to persuade the Mahatma to allow search at least some visitors to the prayer meeting before they attended the meeting but Mahatma's reply was 'No! It is God's house and nobody can search.' (There is a major discrepancy here Bapu was murdered at 5.17 pm on 30 January, Sardar Patel was with him almost till 5.10 pm that day).

21.49 'The Statesman' of 21 January 1948, Ex. 106A shows that the newspaper had given out the story as follows—

'Present inquiries tend to show that there was a formidable plot on the life of the Mahatma. A police Inspector said the 'The bomb was intended to create confusion even though it was powerful enough to kill many people. The hand grenade was apparently to be used against the Mahatma himself.'

Even other newspapers had said that four men drove away in a small green colour car at the rear of Birla House showing that there were more than one person who were involved in the throwing of the bomb. (See the *Times of India*, 21 January 1948).

21.57 Commission drew the attention of J.N. Shani to a pamphlet, Ex. 105, which is a document in Hindi, published in Amritsar and alleged to have been distributed in Alwar. This document as produced before the

Commission was hand written. It is undated and starts by saying *'Gandhi Murdabad'*, dishonourable death to Gandhi. It is an anti- Gandhi leaflet accusing Gandhiji of helping Muslims and Pakistan and that people should pray to the Almighty that Gandhi should die. It has also accused Gandhiji of his fast being a farce and called him *'neechatma'* a low down fellow. Shani's reply was as follows—

'I would not say that this was the attitude of mind of the Hindus and the Sikhs from Punjab because whatever else might not have happened they could not forget the services rendered by him whenever Hindus and Sikhs were in trouble in the Punjab—Jalianwala Bagh and Guru Ka Bagh are examples—and they would rather like to convert Gandhiji and use his influence rather than to kill him'.

The document, he said, was in line with the political secret movement which was being helped by the Princes through their chieftains thus creating a fifth column in India to take over when the British power withdrew, at least in their respective states which would become free. 'I am particularly mentioning states like Jaisalmer, Jodhpur, Baroda, Alwar, Bharatpur, Gwalior and Bhopal. This movement was led by Golwalkar from Nagpur and Bhopatkar from Poona. The concentration of the leadership was in Nagpur and Poona.

THE BAKSHI RAM EPISODE

21.64 One Bakshi Ram was arrested in the last week of January 1948 for robbery; under S. 394 I.P.C., and he was lodged in Agra Central Jail. He claimed to be a one-time associate of Bhagat Singh and Batukeshwar Datt, the well-known Lahore revolutionaries. This arrest was affected by Senior Superintendent of Police Agra, G.K. Handoo, witness No. 48, and some-how or other Bakshi Ram showed some confidence in Handoo. According to the statement of Handoo, on or about 23 January, Bakshi Ram went on a hunger strike and insisted on seeing Handoo and when Handoo did see him, Bakshi Ram told him that Mahatma Gandhi was certain to be murdered very soon and that he had read in the news papers that Madanlal had been arrested in connection with the explosion of Gun-cotton slab and that Madanlal was an intermediary between him and about seven *Maratha* young men (Here Maratha is being used as Marathi speaking person and not the Maratha community). Madanlal had asked Bakshi Ram to give instructions to those Maratha young men in pistol shooting which Bakshi

Ram did at Gwalior. That was some time in December or a little earlier. These Maratha young men never called each other by name but had designated each other by military ranks like Subedar, Jamadar, etc. (Readers should note that in one of the attacks on Mahatma Gandhi's life at Sevagram, Thatte had pointed to Nathuram and referred to him as their 'Jamadar'.) Bakshi Ram had gathered from the cross talk between these young men that they were learning to shoot pistol to commit a political murder of a very high ranking person in Delhi and when Bakshi Ram read in the papers about Madanlal exploding the bomb he felt convinced that the victim was going to be Mahatma Gandhi.

21.65 Handoo then cross-examined Bakshi Ram and found his story to be consistent. He recorded his statement and sent copies of it to the D.I.B., New Delhi, Inspector General of Police, U.P., B.N. Lahiri and to the D.I.G. Meerut Range B.B.S. Jetley who was on tour at Agra at that time. He did not hear anything further and then Mahatma Gandhi was murdered. In that communication to the Police officers, Handoo gave the descriptions which Bakshi Ram had given to him. Bakshi Ram had also told him that one of those young men who was their leader was a *'Patrakar'* journalist from Poona but he neither knew his name or the name of his newspaper.

21.76 In Paragraphs 7 and 9 of Ex. 133, report of Inspector Bannerjee, It stated—

'Should Bakshi Ram be released, as suggested and would the risk be worth it? Personally, Jetley does not mind if the dacoity case goes down provided it brings to light the conspiracy which has been hatched in the States of Gwalior, Bharatpur.... He recommends that unless the Police, here have anything definite at this end, the possibilities of the information given by Bakshi Ram should be investigated....

Jetley is of the opinion that Bakshi Ram is genuinely pained on Mahatmaji's murder and is anxious to give out all he knows. He fasted for 13 days after Mahatmaji's death and is very much moved and, if suitably tackled, would probably lead to something very definite.'

21. 93 G.K. Handoo, a high ranking Police Officer, was empathic that Bakshi Ram had given him information before the murder.

21.94 Bakshi Ram wanted to appear before this Commission and was asked to put in an affidavit of what he wanted to depose but that he has not done.

What Bakshi Ram said may not have been of importance in the investigation between the 20th and 30th January 1948. Bui: the Senior Police Officer, G.K. Handoo, who had initially recorded Bakshi Ram's statement stuck to his claim that Bakshi Ram had made an initial statement before the murder, this is important. Bakshi Ram may have been trying to swing a deal and also exploring a way to escape, but a Senior Police Official, Jetley, felt that if Bakshi Ram could help in exposing the conspiracy, releasing him from jail was worth the risk. Sanjevi and Rana along with Nagarvala had committed a series of blunders during the ten days between the bomb attack and the murder; unfortunately Sanjevi and Rana were in a position to scuttle the initiative shown by Jetley. Bakshi Ram may not have proven to be of much use but it must be noted that he named Dr. Parchure and Gwalior before it had become public knowledge about their role in the conspiracy. This factor alone makes Bakshi Ram's statement important. The other fact that Bakshi Ram hailed from the Montgomery District of the Punjab, links him with Madanlal who also hailed from that district, Madanlal had also been active in Gwalior for some time after crossing over to India, this lends further credibility to Bakshi Ram's statement. It is very difficult to believe that sitting in jail Bakshi Ram could have cooked up a story which had so many credible links to verified facts. Alas, like many other missed opportunities and ignored leads this one too will remain an enigma.

Chapter XXIII of the Kapur Commission's Report deals with the Investigations at Delhi. These are the investigations between 20th and 30th January.

CASE DIARY NO. 3-A

23.32 We have then the most important entry in the case diary, No. 3-A, of Deputy Superintendent Jaswant Singh purporting to be from Bombay. This begins on 22 January at 8 a.m. and closes at 8 pm. It states that at 9.10 am these officers met Nagarvala at his house. 'He said that he had already been apprised of the full facts of this case and that he had already had a talk with higher authorities of Delhi on phone and that he had posted special officers of the C.I.D. at strategic points. He had made proper arrangements for the tracing of the alleged suspects and had posted men on the railway station....' Nagarvala also told them that he did not want them to stay where they were staying because he did not want their arrival to be known to others which

would frustrate the arrest of persons and he ordered them to get into mufti and meet him at the C.I.D. Office. At 10.30 am the entry in the diary is as follows:

At this time I along with Inspector reached the office of C.I.D. by taxi and contacted Nagarvala and again acquainted with full facts on the case and an English note, which incorporates the precis of Madanlal's statement with the note of the Superintendent of Police, New Delhi, at its foot, was handed over to Nagarvala Sahib who read this note carefully and kept it. He returned a written note covering this case, which is attached. Nagarvala Sahib was also acquainted with the facts concerning Kirkree. It was also brought to his notice that Madanlal accused had stated that he did not know the name of his associates but had said that he was editor of *Hindu Rashtra* or *Agranee* Newspaper, who was of light complexion, aged 33/34 height 5'-6". It is not known whether this editor belongs to Bombay or Poona. Apart from this, he was also acquainted with the descriptions of the three other Mahrattas and 'Maharaj' who according to the accused were his companions. Special stress was laid on the immediate apprehension of the Editor of *Hindu Rashtra* or *Agranee* Newspaper, and Kirkree of Ahmednagar, whose mention was specially made by the accused in his statement: So that they may be interrogated, (*Taake unse daryaft amal mein lai jaaye*).

The point to be noted in regard to this diary is that besides the name of Karkare which was written as 'Karkara' the editor of *Hindu Rashtra* or the *Agranee* newspaper with his description and of his belonging to Poona was also mentioned as also the description of the 3 other Marathas and Maharaj who, according to Madanlal, were his co-conspirators, and special stress was laid on the immediate apprehension of the editor of the *Hindu Rashtra* or the *Agranee* and Karkare of Ahmednagar.

23.35 At 7.30 pm they were informed by their host, Inspector Kargaonkar, and two other officers that they had traced the suspects and men had been posted and he was confident that the whole matter will end usefully. But regarding 'Karkara' he said that an Inspector of Police was coming from Ahmednagar and after getting information of the full address of Karkare and of the editor of *Agranee* or the *Hindu Rashtra* a report about their arrest would be sent. This diary closes at 8 p.m. at which time the two officers 'Went off to sleep', '*Shah Bash'* literally retired for the night.

CASE DIARY NO 4-B OF 23-1-48 FROM BOMBAY

23.40 Case Diary No. 4-B is by Deputy Superintendent Jaswant Singh purporting to be from Bombay. It is marked Ex.39. It begins at 10 am of 23 January 1948. It shows that Nagarvala gave Jaswant Singh a list of passengers who had travelled from Bombay to Delhi between January 13 and 20 but Jaswant Singh did not find anything useful in that list. The entry of 12 noon is that Inspector Kargaonkar had informed them that a Police Inspector from Ahmednagar had come and had contacted Nagarvala and that 'Kirkree was not present in Ahmednagar'. But the C.I.D. had been instructed to search for the Editor.

23.41 The next entry is that inquiries were made about Kirkree (Karkare) from Inspector, C.I.D., Bombay, and he was requested to inform them about the suspects who were responsible for the occurrence. The inspector had disclosed to the Deputy Superintendent Jaswant Singh that the real name of'Kirkree' was V. R. Karkare and he was the owner of the Deccan Guest House in Ahmednagar and was a zealous worker of the Hindu Mahasabha; and his co-workers were Badge of Poona, Avtar Singh of Amritsar, Talwar of Karachi, Balraj Mehta of Lahore, who also were Hindu Mahasabha workers.

23.42 Thus this Police Diary makes some very significant assertions; one, that the Delhi Police Officers were informed that Karkare was the owner of the Deccan Guest House, four of his associates were mentioned and Nagarvala directed these officers to return to Delhi; and that they again informed Nagarvala that Madanlal had named Karkare and had mentioned the editor of the Agranee' or the *'Hindu Rashtra*'. This is a re-assertion of the mention of the editor of the *'Hindu Rashtra'* or *'Agranee'* to the Deputy Commissioner.

LACUNA NO. 1

23.135 The first failure on the part of the Delhi Police was not to send for Bombay Police to Delhi for stationing them to guard Mahatma Gandhi and to act as watchers and spotters. Sanjevi did not get into touch with the Bombay Provincial C.I.D. direct. To his credit it must be said that he got in touch with Rana in Delhi but it turned out to be sterile as Rana proceeded at a snail's pace and was as complacent as Sanjevi, he did not requisition his C.I.D. force or put them into immediate action against the proprietor of the

'Hindu Rashtra' whose identity he failed to discover, a failure for which he must share the blame with a much more experienced and senior officer, Sanjevi, who had come to occupy the top police job in India—of Director Intelligence Bureau. If this name had been discovered earlier it should have been that the whole case would burst and the conspirators would have been nabbed' before they got to Delhi.

LACUNA NO.2

23.136 It was argued that Madanlal should have been sent to Bombay, Poona and Ahmednagar, with the Delhi Police after his statement made on 24 January 1948. He could have been confronted in all these places and would have been interrogated by the police there. Crime Report No. 6 shows that during the interrogation of Madanlal by the Bombay Police on 4 February 1948, Badge was brought from Poona at first he denied all knowledge of the conspiracy. When he was confronted with Madanlal accused, who identified him as the Sikh Maratha referred to by him, and after he was subjected to searching interrogation, Badge broke down and made a clean breast of the whole conspiracy and the persons involved therein. He said that the attempt on Gandhiji's life on 20 January 1948, was in pursuance of this conspiracy. It was rightly submitted that what was done after the murder should have been done after 24 January, if not after 20th, when Ex.6 according to the Delhi police was made.

23.137 Amar Nath Bhatia, Police Superintendent of New Delhi, witness No. 17, said that he did not know anything about Sanjevi's order for Madanlal to be taken to Bombay, But D.S.P. Kartar Singh, Wit. 26, said that he had a distinct recollection that before the murder it was proposed by Sanjevi that Madanlal should be flown to Bombay so that the Bombay Police could interrogate him and arrangements were made to put that proposal into effect but Sanjevi countermanded his previous orders and Madanlal was not sent.

23.140 The course of investigations in Bombay after the Murder and the comparatively quicker and successful results of the investigation in Bombay leads one to the conclusion that if this course had been adopted, the course of events might have been different. It cannot be overlooked that we are looking at the matter 21 years after

LACUNA NO 3

23.141 In Ex. 1 which is the fuller statement of Madanlal dated 24 January, the name of the newspaper *'Hindu Rashtra'* of Poona was given and also its proprietor was mentioned. Although it should have been possible for Sanjevi to find out the identity of the proprietor, he did not do so. A reference may be made to Exs. 198, 199, 199-A and 201. ex. 198 is an extract from the Bombay list of newspapers and their proprietors and editors and relates to *'Agranee'* where the names of Apte and Godse are given as proprietor and editor, respectively. Ex. 199 also relates to the *'Agranee'* Ex. 199-A is an extract relating to *'Hindu Rashtra'* a Marathi Daily of Poona, wherein N. V Godse is shown as the printer and publisher and the paper is described as a Savarkarite group paper. Its proprietor is N.D. Apte and editor N.V. Godse. Ex. 201 shows that a copy of this list of newspapers called the Annual Statement of Newspapers was sent to the Government of India, Home Department, Government of India, Information and Broadcasting Department.

M.K. Sinha, Deputy Director, Intelligence Bureau, has stated before the Commission that the names of the editor and proprietor of a paper could have been available to the police at Delhi from the C.I.D.

LACUNA NO. 4

23.142 The Delhi Police and the Intelligence Bureau failed to use the Intelligence Bureau records because that contained important information regarding Madanlal. Inspector Balkundi of Ahmednagar had sent a report dated 7/10 December, 1947 to the Intelligence Bureau. This is Ex. 195. This was addressed to the Assistant Director (P), I.B., Ministry of Home Affairs. There are endorsements on it showing Hooja dealt with it on 14 January and M.K. Sinha, the Deputy Director, also on the same date. The report of Inspector Balkundi regarding Madanlal in the Intelligence Bureau had a seal put on it with the word 'Indexed'. This word 'Indexed' was stamped on the Provincial C.I.D. report from Ahmednagar which is separately marked as Ex. 66-A. In this report the complaint against Madanlal was in regard to his leading a procession of refugees and shouting slogans against Muslims and *'Vir Savarkar Ki fai'* showing that the procession which had been taken out had a Savarkarite association and complexion.

23.143 M.K. Sinha witness No.44, was asked about this indexed document. He said, 'We in the bureau did not connect this Madanlal with the Madanlal Kashmirilal.... The name of Madanlal Kashmirilal is

misleading and it would not be possible for the Bureau to at once connect a particular name with the name indexed in the Bureau'. He was further examined on this matter and he stated as follows—

Q. 'From the fact that Madanlal was from Bombay should it not have struck the members of the bureau to look into their indexing system?

A. If I were the in charge of the Investigation, I would at once have asked my own office as well as the offices of the various provincial C.I.D. to see whether the names which transpired from the various statements were or were not in the index cards.'

23.145 In reply to another question, it was said that when a card is prepared for an individual his identity is indicated and very briefly reasons are also indicated on the card. Madanlal's card shows that he was a refugee and led a procession of refugees in Ahmednagar. The exact date is not given. At any rate, this much is clear that the name of Madanlal had been sent up by the Ahmednagar Police in connection with his activities in Ahmednagar this document was seen in the Intelligence Bureau by high officials and his name indexed.

23.146 In the 'Times of India' of 21 January 1948 Ex. 106, the name Madanlal was given out as the person who threw the bomb and it was stated that his companions had escaped in a car but they had not been apprehended till midnight. Madanlal stated that he was from Montgomery and had migrated to Bombay and had returned to Delhi and was staying at the railway station.

23.147 In the 'Daily Statesman' of 21 January (Ex. 106-A) the name given was Madanlal who was carrying a ration card in the name of Balbir Singh and it was stated that three of his companions had escaped in the confusion and that policemen have been posted at all exits from the city. Besides this, it was stated that there was a formidable plot on the life of Mahatma Gandhi; and the hand grenade found on the person of Madanlal was to be used against Mahatma Gandhi himself.

23.148 In the 'Hindustan Times' of 21 January, Ex. 106-B, account is given of the arrest of Madanlal. This news is given on the front page but in a comparatively unimportant place with an unimportant heading 'Bomb Goes Up Near Prayer Ground'. There also the bomb throwing was taken as an attempt on the life of Mahatma Gandhi. In that newspaper the statement of Madanlal as given does not disclose that he had gone to or was connected with Bombay.

23.149 Therefore, one would expect the Director of the Intelligence Bureau to get his own records searched for any clues regarding the bomb thrower and one would also expect that the name Madanlal would tingle in the memory of two high officials like the Deputy Director and an Assistant Director; yet there are matters which the Commission cannot loose sight of (1) that the name Madanlal Kashmirilal could easily confuse as officer in Northern India where father's name is not so appended; (2) there was nothing to connect the arrested Madanlal with Ahmednagar at least not to the knowledge of these two officers. But all this hardly excuses the Delhi Police and the Director of the Intelligence Bureau who was also the Inspector General in charge of the investigation of a case of that importance from seeking information from any possible source known to them or they could reasonably have been expected to think of, Sanjevi should have had his own records searched.

LACUNA NO. 5

23.150 Kotwal emphasised that it was the duty of the Delhi Police to apprehend the accused persons and they could ask the outside police for their cooperation. He referred to the reply of the Government of India to Question 8 of the questionnaire—

'It would be the responsibility of the Delhi Police to ensure that the persons named were apprehended or prevented from coming to Delhi, if they were not already there. To the extent such action related to persons residing outside the jurisdiction of the Delhi Police. It would have been also the responsibility of the other police authorities concerned to extend necessary assistance and cooperation to the Delhi Police'.

LACUNA NO 6

23.151 It was suggested by Kotwal that Rana was in Delhi from the 20th January to 25th January 1948, and if he had been asked to be present at the time of Madanlal's interrogation, Madanlal would have been more informative and the very presence of Rana would have been a help in this direction. This he based on the fact that Madanlal in his statement Ex. 1 at Page 29 stated that on one occasion in Ahmednagar he led a procession of 500 refugees through the town of Ahmednagar where various slogans were raised. Thereafter, a meeting was held in Aarti Bazar in which high officials

participated, amongst whom was the D.I.G. of Police, C.I.D., Poona, Rana, and a few others. They promised to help the refugees within a few days when a demand was made that Municipal officials should allot sites for fruit shops for refugees.

23.152 Rana, witness No.3, when recalled at Baroda stated that he was not present at the meeting. As a matter of fact he was not in Ahmednagar on that day. But he was in Ahmednagar on the 18th, 19th and 20th December, 1947 and visited Visapur Camp. This is a very slender basis for saying that association of Rana with the interrogation of Madanlal would have produced more information. At the most it is speculative and that by itself cannot be taken to be a failure on the part of Sanjevi in his investigational process.

LACUNA NO. 7

23.153 the Delhi police officers were sent to Bombay on 21 January. They returned from there on the 24 January and met the Superintendents of Police of Delhi on the morning of 25 January. Sanjevi's note, Ex.7, in Paragraphs 5 and 6 sets out what the Delhi Police Officers on their return reported to Delhi. In these paragraphs emphasis is laid on the Police officers telling Nagarvala that one of the accused mentioned by Madanlal was the editor of the *'Agranee'* or the *'Hindu Rashtra'* and that C.I.D. Inspector there told them that Inspector of Police from Ahmednagar had arrived and he had been told to make a search for the editor of the *'Agranee'* or the *'Hindu Rashtra'* and that some names were given to Deputy Superintendent Jaswant Singh when he asked for information in regard to Karkare and his associates. Those names were Badge of Poona, Avtar Singh of Amritsar, Talwar of Karachi and Balraj Mehta of Lahore. Paragraph 6 also mentions that Delhi Police officers handed over to the Inspector, C.I.D., a brief note on the case with the names and descriptions of the accused wanted as far as known then, a point on which Nagarvala was not questioned though he was cross-examined at length.

23.154 It is surprising that after this complaint was made to the D.I.B. he never took the trouble to find out from Nagarvala as to what had happened. It is true that he did tell U.H. Rana of the complaint by the Delhi Police Officers but he never found out from Nagarvala himself what had happened. As submitted by Kotwal, from 21 January, 1948 to 27 January, 1948, the D.I.B. who was also the Inspector General of Police, Delhi, did

nothing and even after the fuller statement of Madanlal a copy of which was given to Rana on 25th, he took no steps to get in touch with the Provincial C.I.D., Poona, or find out as to who the proprietor of the *'Hindu Rashtra'* was. The Commission is not overlooking the fact that Rana was himself the D.I.G. (C.I.D.), Bombay.

23.155 Even when Rana and Nagarvala rang him up on the 27th evening and Rana told him that Nagarvala had good reasons for not allowing Police Officers to move about in Bombay, and Nagarvala gave the information in regard to his theory of kidnapping of Mahatma Gandhi, there is nothing in Paragraph 8 to indicate that Sanjevi demurred in any way to or reacted sharply or even mildly against this rather unusual theory on which Nagarvala was working. All that he said in paragraph 8 is, 'I asked him about the absconding accused whose name s or descriptions were given to the Delhi Police by Madanlal'. This paragraph does not go further and say which names or what descriptions had been given to Nagarvala by the Delhi Police officers. Nagarvala has denied any such question having been put to him.

23.156 If, as is claimed, Madanlal had indicated in his statement of the 20th January, Ex. 6, the proprietor of *'Hindu Rashtra'* or the editor of the 'Agranee' to be one of his companions, the Commission is unable to find any reason why the D.I.B. did not at once find out who the persons were and direct either Nagarvala or Rao Saheb Gurtu to apprehend those persons immediately, and get some Maharashtrian Policemen over to keep a watch both at the railway station and air terminal and at Birla House so as to spot those persons is and when they come to Delhi.

LACUNA NO. 8

23.158 Rana and Nagarvala on the evening of 27 January 1948 spoke to Sanjevi on the long distance telephone and gave all information in regard to kidnapping theory and Sanjevi is not shown to have found fault with that theory or rejected it nor did he violently react against it.

23.160 In Ex. 7-B it is stated that two police officers of Delhi were flown to Bombay and they contacted Nagarvala and 'put him in full possession of all the facts known to them so far'. These officers were not allowed to make any inquiries nor move about freely, and that was -because Nagarvala feared that the presence of police officers from Delhi would be a set back to his efforts in tracing the absconding men.

23.161 Commission finds little validity in this complaint. These two police officers had precious little knowledge of the City of Bombay which is a vast metropolis with the then population of three millions and a half. How these officers, even if clever and experienced, were to look for and spot Karkare in Bombay is beyond one's comprehension. In the matter of investigational utility their value was practically nil. Then why this complaint?

23.162 The two police officers returned after two days. On 25 January, Sanjevi gave a copy of the statement of Madanlal made on 24th to the D.I.G., C.I.D., Poona, Rana. This was a detailed statement. On arrival, in Bombay, Rana and Nagarvala contacted Sanjevi on the telephone and Nagarvala promised to send a letter by air next morning with a copy to Rana, but no letter was received excepting the one sent on 30th which contained no information about the assassins.

23.163 Unfortunately, Sanjevi from 25th to 30th morning did nothing to find out as to what had been done in regard to the persons mentioned in the fuller statement of Madanlal; and it is still more unfortunate that the statement of 20th January purported to have been made by Madanlal containing descriptions, names and mentioning the editor of the *'Agranee'* or *'Hindu Rashtra'* was sent through the police officers of Delhi and yet no contact was made by the D.I.B. or by any other high ranking police officer in Delhi with Nagarvala to find out from him as to what he had done or was doing in regard to that information and why he was not asked as to why no credence was given to the information alleged to have been given by the Delhi police to him.

23.164 It is indeed a very perplexing situation. According to Delhi Police they took the document which contained the name of Karkare; and mentioned the editor of the *'Agranee'* or the *'Hindu Rashtra'* which fact is flatly and emphatically denied by Nagarvala and it is still more perplexing that the name *'Agranee'* is not mentioned in the fuller statement of Madanlal made on 24 January and a copy of which was given to Rana on 25 January 1948, nor was it mentioned in his police statement at Bombay after the murder. In spite of the name of *'Hindu Rashtriya'* having been mentioned, it is astounding that the Delhi police made no effort to find out the identity of this person. It is still more astounding that the names of 'Hindu Rashtriya' was admittedly given to Rana though it is doubtable whether it was to Nagarvala or not, and yet no effort should have been made by him on his

reaching Bombay or even Poona to find out as to who this person was and to warn both the Bombay Police and the Delhi Police to be on the look-out for him. It would be unbelievable if that thing did not happen as it did, that U.H. Rana should have gone through the statement of Madanlal along with Sanjevi, as Sanjevi's note shows and neither of them should, on 25th January, have taken the slightest trouble to find out from the intelligence Bureau or the Press Information Bureau or the C.I.D. as to who the proprietor of the *'Hindu Rashtra'* was. Admittedly, there was mention of it in the statement of Madanlal of the 24th.

23.165 U.H. Rana denies that Sanjevi told him about the editor and proprietor of either *'Agranee'* or *'Hindu Rashtra'*, he was emphatic that the names of these papers were never mentioned to him. He dose mention that the statement of Madanlal was made available to him and it was on that day that he came to know about the mention of the editor of the 'Hindu Rashtra' daily and the proprietor of the Shastra Bhandar, Poona and Karkare of Ahmednagar. It appears that there is some mistake in the mind of Rana because the statement, Ex. 1, does not mention the editor of *'Hindu Rashtra'*, although it does the proprietor of the *'Hindu Rashtra'*. Due to the maze of documents which he had to study and on account of the lapse of over 20 years he might have been led into this confusion. The correct position appears to be that on the 25 January Rana did come to know of the complicity of a person who was the proprietor of the *'Hindu Rashtra'* mispronounced by Punjabees as *'Rashtriya'*. The question again arises, why was no effort made there and then to find out the identity of this person and why his full particulars were not called for from Poona as they were after the murder and even his photographs were obtained from there as shown by I.B. file No. 13/HA(R)/39-ll, Ex. 254-A.

LACUNA NO. 9

23.166 R.N. Bannerjee as witness No. 19 before this Commission stated that he did not know of the conspiracy to murder Mahatma Gandhi prior to 30 January 1948, and the first time he came to know about it was on the 31st at the post-cremation meeting. Normally, the police should have informed him of the conspiracy in his capacity as Secretary of the Home Ministry and Sanjevi was in constant touch with him. He added that Sanjevi had not informed the Deputy Commissioner of Delhi either.

23.167 According to the Punjab Police Rules, No. 24.15, special reports were to be sent by the Inspector General to the Government of India, Ministry of Home Affairs, but evidently, none were sent to Bannerjee. In reply to question No. 27 of the interrogative questionnaire to the Government of India regarding the duties of the Director of Intelligence Bureau *vis-à-vis* the Home Ministry, the position was described thus—

'It would be the duty of the Director, Intelligence Bureau, to keep the Home Minister and the Ministry of Home Affairs informed about the threat or danger to important persons like Mahatma Gandhi. It would also be his duty to caution officers and officials working under him to remain vigilant about such a threat or danger and to take such other measures necessary to collect further intelligence thereon. He would also warn the State CIDs about such developments and impress upon them their importance and urgency. In all these matters he would keep the Ministry of Home Affairs informed'.

23.168 Bannerjee stated that if he had known anything about the matter, he would have taken as much meticulous care in regard to what police was doing in regard to the Bomb Case investigation as he did after the murder.

23.169 It was also argued and rightly that if the Director, Intelligence Bureau, could send his own officers to Alwar, Agra, Gwalior after the murder why could he not have done this earlier after the bomb throwing?

23.170 M.K. Sinha said that if the information which Madanlal had given in his statement had been given to him as an I.B. officer, he would have got into touch with the C.I.D., Bombay, on the secraphone and would have told them what had happened and requested them to try and arrest the persons whose descriptions had been given by Madanlal. He would also have got in touch with the Inspector General of Police and the C.I.D., at Poona and would have been constantly in touch with them to find out the progress of the investigation.

LACUNA NO. 10

23.172 It cannot be called a failure on the part of Sanjevi himself but is a matter which does concern the conduct of the Delhi Police. In the noting made in the Government of India Secretariat made on the explanation given by Sanjevi and Nagarvala, Ex. 14, there is a remark by Sardar Patel that it was a mistake to have sent a Deputy Superintendent of Police to Bombay, with which the Commission agrees particularly after having seen the whole

course of conduct of the two respective forces, Bombay and Delhi Police. But that fact alone was no justification for Nagarvala not trying to find out from the officers what they knew or why they had been sent.

23.173 There is one matter which has not been explained and for which explanation could not be sought from Deputy Superintendent Jaswant Singh because he is dead and Inspector Balakishan was rather ineffective. And that was why did the two police officers who went to Bombay, besides giving the information which they allege they gave to Nagarvala and which they have incorporated in their police diaries No. 3-A and No. 4-B, not orally tell Nagarvala what was within their knowledge besides what was contained in Ex. 5-A. The two offices should have told Nagarvala that they were themselves present during Madanlal's interrogation. They should have apprised Nagarvala of the facts. The explosion of the bomb, the recovery of a hand grenade, and the association of Savarkar, were all pointers to attempted political assassination by Savarkar's followers rather than kidnapping by Punjabis even if directed by General Mohan Singh of the I.N.A. which that gentleman has strongly repudiated in his statement before the Commission which statement the Commission accepts.

Chapter XXIV of the Kapoor Commission's Report deals with the whether Delhi Police had given the Bombay Police Madanlal's statement Exhibit 5-A.

Since this has been covered in details previously except for a few new fact I have not reproduced much from the report.

24.23 Case Diary No. 3-A. The next diary of Jaswant Singh is 3-A dated Bombay January 22, 1948, in paragraph 3 of which it is stated that the two police officers 'contacted' Nagarvala at the C.I.D. office where he was 'again' apprised of the full facts of the case 'and an English note, which incorporates a precis of Madanlal's statement with a note of S.P. New Delhi at its foot was handed over to Nagarvala Sahib who read this note carefully and kept it. He returned a (the?) written note covering this case which is attached'.

'Jinhon ne is yadasht ko baghor parah aur apen pas yadashat rakhi. Tahriri note mutliqa muqadama haza wapis di joke laf haza hai'.

And the document attached is Ex. 5-A.

24.24 The translation of diary No. 3-A seems to be slightly inaccurate; it should read —

'He read the memorandum carefully and kept an extract from it. He returned the written note (the memorandum) regarding the case above referred to, which is attached herewith.'

This document Ex. 5A is undated and unsigned. It is a disjointed account of events alleged to have been given by Madanlal. It is scrappy and is written in two distinct handwritings and distinct inks on both sides of a foolscap size sheet of paper.

EX. 5-A WHEN WRITTEN AND BY WHOM

24.27 In this context it is very necessary to see when Ex.5A came into existence and why it was scribed; because if it was not in existence on 21st January it could not have been taken to Bombay. It is necessary therefore to examine the evidence dealing with the authorship of Ex.5A and the date of its being scribed. The important witnesses on this point are Nos. 42 R.C. Bhatia who at the time was Inspector in charge of Parliament Street Police Station. No. 13 Rai Sahib Rikhikesh who at the time was Superintendent of Police, C.I.D., New Delhi and No. 17 Amar Nath Bhatia who at the time was Superintendent of Police New Delhi, i.e. the two Police Superintendents of Delhi and the Station House Officer of the Parliament Street Police Station. A Photostat copy of Ex. 5-A is attached.

R.C. BHATIA, WIT 42

24.28 The account of witness R.C. Bhatia as to how Ex.5A came into existence was this that during the course of interrogation of Madanlal, he could not remember when it was, he was 'asked to take down'. It might have been three or four days after the arrest of Madanlal. The document was shown to him and he said that it was in his hand writing only up to the words 'plan chalked out.... Went in *tonga*." i.e. up to the middle of the back of the page. The rest of the document beginning with the words 'with Karkare at about 3.45 p.m. from Marina Hotel' are not in his handwriting nor that portion of the document at the back which was enclosed within a red pencil line: (this was done by the Commission). The portion other then what R.C. Bhatia admits to be in his hand is in a different handwriting and in different ink. And this, according to R.C. Bhatia, is in the handwriting of Police Superintendent Amar Nath Bhatia with whose handwriting he is

familiar. He also said that it is not in the handwriting of Deputy Superintendent Jaswant Singh.

24.29 Madanlal he said was interrogated several times and it was on one of these occasions that the notes were dictated to him, and he was not sure whether what was contained in Ex. 5A was repeated to him during interrogation. He could not say why the note was prepared. The dictation, he said, must have been seen by Superintendent Amar Nath Bhatia but he was not sure. But looking at the portion which was in the handwriting of Amar Nath Bhatia, this witness said that the dictation must have been by him. When his attention was drawn to the diary of Deputy Superintendent Jaswant Singh, the witness said it must have been dictated before Jaswant Singh left for Bombay. The statement of this witness is vague as to the sequence of events as to dates and even as to the occasion relating to scribing of Ex. 5A but after the lapse of twenty years it would not be unexpected.

RAI SAHIB RIKHIKESH, WIT. 13

24.30 The next witness in this connection is Rai Sahib Rikhikesh who was Superintendent of Police, C.I.D. at the time. Unfortunately, he is in failing health and is unable to see as he has practically lost his eye-sight but happily he readily appeared before the Commission, though at great personal inconvenience.

24.31 On 21 January 1948 Madanlal was taken to Civil Lines Police Station where R.S. Rikhikesh interrogated him for about 3 or 4 hours but he disclosed no names. He only gave descriptions of persons. All this the witness took down on a piece of paper which was handed over to Deputy Superintendent Jaswant Singh when he was leaving for Bombay. This was done under the orders of the D.I.B.. Sanjevi. The police case diaries No. 2 and 2-A show that interrogation was by Inspector Jai Dayal under orders of the Deputy Superintendent of Police. When Ex. 5 which is a copy of Ex. 5A was read out to the witness, his reply was that that was not what he had written nor did he send it to Bombay. The original of the document could not be shown to him because unfortunately he is unable to see. He said he had written down the descriptions of the conspirators as given by Madanlal which was something like what was readout to hum from the police case diary No. 1, page 13, paragraph 15 which is marked Ex. 36. The statement was marked Ex. 6 by Pathak. Rikhikesh remembered that Madanlal had said

that the leader of the party was a Maratha who was the editor of a Hindu newspaper, probably *'Hindu Rashtra'* but he could not remember if Madanlal had also mentioned the *'Agranee'* but he did not say that the man was from Poona. He was told by the D.I.B., to give a typed copy of whatever Madanlal had stated up to that time which he did.

24.32 He was asked how it was that in spite of Madanlal's arrest and his mentioning Karkare and the editor of the Poona journal no effective steps were taken to prevent the murder. His answer was:—

'We did our level best. The conspirators came from Maharashtra. It was very difficult for us to make out who was who. Many officers from different parts of India came here and mentioned names of many suspects. Some of them we arrested and interrogated; others we just interrogated. But we did not succeed in getting any useful information about these persons. It should have been possible for the Bombay Police to have arrested the editor of the Poona Journal because they knew his identity. Similarly there should have been no difficulty in arresting Karkare who had a shop in Ahmednagar.'

This emphasises clear information of the identity of two persons (i) an editor whose particulars the Bombay Police should have been known and (ii) the other Karkare of Ahmednagar, both of whom the Bombay Police could easily have arrested.

24.33 The witness has deposed that during the course of the interrogation of Madanlal he got the following names:—

(1) Servant of Karkare, but not the name of Karkare whose business was mentioned.
(2) The head of the conspiracy was the editor of a newspaper from Poona.
(3) Another person mentioned was a discharged Army Officer.
(4) A fat Maratha who financed the conspiracy and had a shop at the Chauk at Ahmednagar dealing in arms and ammunition.
(5) Shankar. But it may be pointed out that that name is neither in the first statement of Madanlal, Ex. 6, nor in his fuller statement, ex. 1.

24.34 It appears that this witness has confused the names and descriptions. Shankar's name is neither in Ex. 6 nor I Ex. 1. The discharged Army Officer also was mentioned by Godse after his arrest on 30 January 1948 and is not mentioned in either of the two statements of Madanlal. The name of Karkare was mentioned by Madanlal in both his statements. As a matter of fact, that is the only name mentioned by Madanlal. But his description in the statement Ex. 1 and 6.

24.35 The name 'Shastra Bhandar' is mentioned in Ex. 1 but not in Ex. 6. The description fat Maratha is nowhere to be found.

24.36 All this shows is that this is a case of *lapsus memoriae* which is not unnatural or unexpected after the lapse of twenty years, even if the physical ailments which afflict this police officer are ignored.

24.43 In cross-examination by Chawla this witness said that he did not give a covering letter for Nagarvala. He was sitting at Sanjevi's house when Jaswant Singh came. When Jaswant Singh was leaving, he, Rikhikesh, gave him instructions as to what he was to do in Bombay.

24.44 Rikhikesh interrogated Madanlal for about 6 hours. He started at about 4 or 5 p.m. and went on till late at night. Madanlal had given full description of his co-conspirators and the places where they were likely to be found. But this seems to be inaccurate because this information so elaborately stated is not even in the fuller statement, Ex. 1. The witness took down the descriptions and the addresses as there was no time to do anything more elaborate. The witness did not give the full statement to Jaswant Singh but descriptions and addresses of the conspirators. The object of sending the officers by air was to take immediate action and effect arrests. He added that he must have given the usual instructions to Jaswant Singh to explain the facts of the case to Nagarvala and also tell him on behalf of Sanjevi that the matter was urgent and that he should report back any progress made in the case which seems to have been ignored altogether.

A.N. BHATIA. WIT. 17

24.45 The next witness relevant to this matter is witness No. 17, Amar Nath Bhatia, who was then the Superintendent of Police, New Delhi and is now an Advocate. He stated that Madanlal was interrogated at the Parliament Street Police Station, where he made the statement, Ex. 6. He named only one person, Karkare, but gave descriptions of six persons.

24.46 Deputy Superintendent Jaswant Singh and Inspector Balakishen of the C.I.D. were sent to Bombay under his directions but the decision was of the D.I.B. and of Police Superintendent Rikhikesh. When asked what instructions he gave to Deputy Superintendent Jaswant Singh, he said:

'We gave to Deputy Superintendent Jaswant Singh a list of persons who were suspected. By a list of persons I mean the description which we had gathered from the statement made by Madanlal. I gave to Jaswant Singh whatever we had. I could not give him more than what we had. We had also

told Jaswant Singh that they were to seek the assistance, cooperation and instructions from the officers in Bombay who would know more about the Maratha accused than we did.

Q. 'Did you tell them as to whose assistance they should seek?

Ans. As far as I know, Rana had taken upon himself to do everything which was necessary.

(By Commission) Q. Would you be surprised to learn that Rana had not left Delhi for Bombay till 25th of January? How could he then have taken upon himself to do everything that was possible?

Ans. I only know this much that Rana had taken upon himself to do everything which was possible. I do not know when he left Delhifor Bombay.'

24.48 He was then asked how he could have ordered Jaswant Singh to get persons arrested in Bombay whose names and places of residence he did not know because up to the time the officers left for Bombay, Madanlal had only given the name of Karkare and some description of others, his reply was—

'Our anxiety only was to get those persons arrested whose description had been given by Madanlal.'

When reminded that the descriptions were inadequate, his reply was that whatever description they could get from Madanlal were sent to Bombay and his opinion was that with the cooperation of the Bombay Police it would be possible to arrest those persons.

24.50 A.N. Bhatia admitted that whatever was said or was given to Jaswant Singh should have been mentioned in the case diary. His attention was drawn to diary No. 2B of Jaswant Singh dated January 21, 1948, which does not contain any reference to the statement of Madanlal or to a synopsis thereof. His reply was that he could remember about Nagarvala but could not say anything about Gurtu, which was hardly a reply relevant to the question asked.

24.51 His attention was next drawn to the case diary No. 3-A of Jaswant Singh of 22 January and he was asked if he had any recollection about the matter. He said that some kind of endorsement might have been made on one of those documents by him but he could not recollect what exactly it was.

24.52 He was recalled on 17 October 1967 and was questioned about Ex. 5A. He was asked as to when the document was prepared. He said he could

not remember. He said —

'I personally did not have a precis of the statement of Madanlal prepared. I do remember that such a precis of the statement was prepared. Whatever was happening was known to me because I was being constantly told of what investigation was going on. I was asked my advice which I gave and I also gave directions where I thought necessary and in this way the subordinate police officers had the advantage of my advice'.

24.53 The witness was shown the document Ex. 5A and asked —

'Q. Have you seen this document?

A. I must have seen it at about the time it was prepared and may have seen it later also during investigation but I have not seen it since'.

24.54 His attention was drawn to the portion, 'Met Karkare who appeared to be active worker or President of the Sabha' and to the portion relating to 'S. Deshpande, Om Baba and with Karkare left at 6.00 on 20 January, 1948' they are not in the police diaries and the answer of the witness was, 'I cannot say anything about it'.

24.56 In Cross-examination by Mr. Vaidya, he said—

' .... And after looking at the case diary No. 1,1 can now say that I asked the Inspector to prepare in English a precis of the statement of Madanlal. Because it was incomplete I added a few words and those words I have already indicated'.

24.61 A.N. Bhatia proved endorsement of Rai Sahib Rikhikesh, Ex. 1-A, on the copy of the full statement of Madanlal, Ex. 1 which was attached to Sanjevi's note, Ex. 7. It may be mentioned that the copy of Ex. 5 which was attached to Sanjevi's note, Ex. 7, and is marked Annexure V therein has the following endorsement—'True copy. Inspr. CID, N.D.'— But the Inspector's signature is not there; and underneath it is signed 'T.G. Sanjevi' dated 20-2-49. Which Inspector certified the original to be a true copy, the Commission has not been able to discover.

24.62 Cross-examined by B.B. Lai, A.N. Bhatia said that the document must have been prepared by Ram Chand (R.C. Bhatia) under his orders he must have prepared it from the case diaries. The witness himself got the information contained in portion A-Al of Ex. 5A from the officers who were interrogating the accused. He added, 'Really speaking what is given in the portion A-Al is a gist of what Ram Chand had written in the two pages and something from my own knowledge'.

'I prepared this small note A-Al so that I could at once tell any officer who made enquiries from me.'

He put the document on his table. He could not say when his reader or stenographer handed it over to Jaswant Singh but it must have been before 25 January. He did not miss the document because he had no occasion to use it. He was emphatic that this document could not have been taken by Jaswant Singh when he went to Bombay nor could Sanjevi have sent it.

24.63 Examined by the Commission, A.N. Bhatia said if he had anything to do with the sending of the papers he would not have sent that document. No officer would have done it. He could give no explanation why Jaswant Singh falsely introduced this document into the file before 25 January 1948.

24.64 As far as A.N. Bhatia could recollect whatever had been got from the statement of Madanlal had been sent to Bombay. He never showed the document Ex. 5A to Sanjevi.

The Commission examined many witnesses, Inspector Balakishan, .Dy.S.P. Jaswant Singh's Court testimony, Sardar Patel's Secretary V. Shankar, the Union Home Secretary R.N. Bannerjee, Sardar Patel's daughter Maniben Patel, the infamous U.H. Rana and many more to ascertain whether Ex. 5A and a few other document's which the Delhi Police claimed were sent to Bombay were true or fabricated.

Chapter XXV of the Kapur Commission's Report deals with Investigations in Bombay.

25.3 In between the period from 22nd to the 30th two things happened. Two Delhi police officers came to arrest Karkare and to seek the aid of Nagarvala. The second fact is that U.H. Rana reached Bombay on the 27th evening. He had with him the fuller statement of Madanlal, Ex. 1, which amongst other things made mention of the proprietor of the *'Hindu Rashtra'* as one of the conspirators. Both Rana and Nagarvala did not read this statement. To say the least, this was rather surprising conduct because if Nagarvala was even making an inquiry, the information which was contained in Ex. 1 should have been of the greatest importance to him.

25.11 To Nagarvala Morarji Desai gave the whole story but did not ask him to arrest Savarkar because there was no evidence against him. 'I had a very strong feeling', he said, 'That Savarkar was behind the conspiracy and that is the reason why I asked his house to be particularly watched'. Morarji Desai considered the story of Jain to be genuine.

25.13 It was argued by Kotwal that if these were the facts, i.e. Madanlal and Karkare were from Ahmednagar, dump of arms was also at Ahmednagar, the proper person to be informed of these facts and proper person who should have been asked to take action would be Kamte, Inspector General of Police and not Nagarvala, because Kamte's jurisdiction extended over the whole of the Province of Bombay and Nagarvala's was confined to only within the City of Bombay and because Nagarvala could not have taken any action in regard to the conspiracy which was formed outside the city of Bombay i.e. at Ahmednagar. There may be some justification for not disclosing the name of Jain who had requested Morarji Desai not to do so because he lived in a dangerous locality and if his name was given out he was likely to be murdered. (Prof. Jain lived in the Shivaji Park area a stone's throw away from the Savarkar Residence. Dadar and Shivaji Park were considered to be Hindu Mahasabha bastions). But it would in the opinion of the Commission be difficult to blame Desai for choosing Nagarvala rather than Kamte to take over the investigation or inquiry. At this distance of time after knowing all the facts and identity of the conspirators it may be said that Kamte would perhaps have been better, but could the same thing have been said on 21 January 1948 when the two names were of the 'Seth' Karkare of Ahmednagar, and V.D. Savarkar; and which of them was more important? That is where the choice lay. (Here I defer from the Commission's view, Desai could have also brought in Kamte, who could have dealt with the Provincial Police while Nagarvala dealt with the investigation in Bombay city. History shows Nagarvala didn't do much justice to the faith reposed in him by the Home minister.)

25.15 When asked whether Morarji Desai was right in passing on the information to the Deputy Commissioner of Police, KM. Munshi, Wit. No. 82 replied 'that is the only way that a Minister can act. He is not expected to do the investigation himself' Munshi gave an instance of a similar case when he was the Governor of U.P, information was received about a conspiracy at Jhansi to murder Prime Minister Jawaharlal Nehru. He passed on the information to the Home Minister, who asked the Inspector General of Police to make inquiries, which showed that the information was without substance.

25.16 Kotwal referred to the provisions of the City of Bombay Police Act, 1902 (No. IV of 1902), henceforth referred to as the 'Bombay City Act', to buttress his argument that entrusting the investigation to Nagarvala

was a mistake. According to the aforementioned Act Nagarvala could not have taken any action either to get intelligence regarding the crime or to prevent the commission of the crime because of the limited nature of the powers given by the Bombay City Act. Kotwal cited many Sections and codes of procedures in support of his contention.

The Kapur Commission did not accept Kotwal's arguments.

25.26 The Commission is unable to accept the contention of Kotwal so broadly stated. If his contention is correct, then it would lead to some extraordinary results. If information was received by an officer of the City of Bombay police that certain persons within his jurisdiction had armed themselves to go and murder the members of the Government of another Province or of the Centre, then the Bombay City police officer need and even can take no notice of the information given and may twiddle his thumbs and remain totally indifferent and inactive and allow persons in his jurisdiction to make preparations, collect arms and to allow them to proceed from Bombay to wherever they were going to commit the offence. Taken to its logical conclusion, if there was an espionage ring having its base in Bombay but operating outside the city of Bombay, it would be free to operate outside Bombay, it could steal any secret and confidential information that it wanted, it could commit acts of sabotage, it could do the most dangerous, the most treacherous acts but as long as its operative filed was outside the City of Bombay, the Bombay City Police would be helpless even when after doing all these acts the spies returned to Bombay and were hiding there to the knowledge of the Bombay Police and even when attempting to cross the seas or the skies.

25.34 Two salient features of the information given by Morarji Desai were: the complicity of VR. Karkare of Ahmednagar and the suspicion of V.D. Savarkar of Bombay being also a participant in the conspiracy which had resulted up to then in the explosion of the bomb and an attempt to murder Mahatma Gandhi. The Police may not have known much about V.R. Karkare but they were fully aware of the political philosophy of Savarkar, whose followers though not active in the City of Bombay were quite active in Poona. Karkare's activities could have been obtained from Ahmednagar if an effort had been made.

25.36 The combination of Karkare, of Savarkar, and some association of Badge and the evidence of throwing of a bomb were not proof of attempting to kidnap and thereby immunise Mahatma Gandhi from his activities which

were considered as pro-Muslim and anti- Hindu by the Savarkar school of thought. But the group had given enough proof of their intention to murder. In the opinion of the Commission, efforts should have been made by the Special Branch to get whatever information it could from Ahmednagar and also to make full use of the Provincial C.I.D. which could be a source of useful information both in regard to Karkare as well as in regard to Badge. If Dy. Supdt. Chaubal of Poona and Gurtu, the A.D.I.G., C.I.D. Bombay Province could supply useful information after the murder, they could have done so before the murder also. Evidence shows that the Provincial C.I.D. sent, on February 1, 1948, to the D.I.B., Delhi, Photographs of Karkare and Apte, and also evidence of association of Karkare and Apte. Nagarvala was then investigating as a Delhi Officer. The same information would have been available to him as a mere C.I.D. fact-collecting officer under S. 32(l) (b) of the Bombay City Act as also if he was acting under Chapter V of that Act.

25.38 But the main error of Nagarvala was to pursue the theory of kidnapping which led him to suspect a different group of persons and thus led him into a *cul-de-sac.*

25.46 After receiving directions from the Home Minister to inquire into the matter and apprehend the associates of Madanlal and Karkare. Nagarvala got in touch with his informants and contacts and instructed Police Officers to locate Karkare and his associates.

25.47 By the 22nd January, 1948, the information was that one Balraj Mehta of Shivaji Park was an active member of the conspiracy. Orders were given to watch him and contacts at Ahmednagar were also asked to try and locate Karkare if he was there.

25.52 On 23rd January reports received were that Karkare and Badge were not in Bombay, and that they were both staunch Hindu Mahasabhaites and if they came to Bombay they would be at Parel Hindu Mahasabha office and that that place was already being watched. Balraj Mehta, it was learnt, used to meet his associates at the India Coffee House at Mahatma Gandhi Road. A watch was organised at that Coffee House also but without any tangible results. The same was in case of Savarkar's house. It was also learnt from Ahmednagar that Karkare was not there and his whereabouts were not known.

25.54 On 25 January 1948 it was learnt from sources that two Punjabis living in Arya Pathik Ashram, Room No. 27, were close associates of Balraj

Mehta and were dealing in arms; the description of these two Punjabis is given. In view of this it was decided to keep a watcher in room No. 26. The watchers reported that a suspicious looking person came in car No. BYF 2744 to the Ashram but the watcher did not know whom he visited. The watcher also said that the driver of the car also looked suspicious. (Apte and Godse had only the previous evening shifted from the Arya Pathik Ashram to the Elphinstone Annexe Hotel; the police informers who gave information about the suspicious Punjabis failed to recognise them.) It was also learnt that Karkare's brother was working as a jobber in one of the Bombay mills and was living in Naigaum. A watch was organised on his house also. It was discovered that Balraj Mehta was holding long conversations with two persons in Parekh Chambers, Shivaji Park, one of whom was a Sikh and the other a Punjabi. But the attempt to overhear the talks because they were talking in Punjabi and the watcher could not understand it. The behaviour of these persons appeared to be suspicious.

25.61 On 31 January, 1948 it was learnt that if Nathuram Godse was the assailant of Mahatmaji, then the plot would be known to Savarkar and also to Damle his secretary and Kasar his Body Guard, who both lived at Savarkar's house. This information was as a result of the interrogation of Chavan and Limaye who were already under detention.

25.62 Some very useful information was gathered from N.V. Limaye a detenue who said that Savarkar must be fully aware of the facts and Nathuram Godse must have consulted him before undertaking his mission. W.B. Chavan told the police that Savarkar must have got the offence committed and that Godse must have been accompanied by his associate N.D. Apte because Godse never did anything without taking Apte with him. Thereafter Damle and Kasar were interrogated and Savarkar's house was placed under strict surveillance. Others interrogated were Balraj Mehta, Rameshwar Singh Thakur, Trilok Nath Mehra, Fakir Chand Chopra, L.G. Thatte and Prahlad Dutt. As a matter of fact Dutt had been injured during the police raids and had been sent to the hospital. From Damle and Kasar it was learnt that Godse and Apte had seen Savarkar twice or thrice before the bomb was exploded and it appeared from their story that on these occasions the plan to murder Mahatma Gandhi was finalised. They also disclosed that Karkare was an active Hindu Mahasabhaite and had also come to see Savarkar. He was accompanied by a young Punjabi whose name later was learnt to be Madanlal. They had a hour long talk with Savarkar. But neither

of them was prepared to depose to anything which took place at the meeting at Savarkar's house. They also disclosed that Badge also used to come to see Savarkar. As a matter of fact Apte and Godse had free access to Savarkar and could come without any appointment or having to wait downstairs.

25.63 No information could be obtained from Balraj Mehta, Avtar Singh and others, but Thatte disclosed that Apte and Godse were the two main organisers of Savarkar's Hindu Rashtra Dal whose members believed in Savarkar and his ideology. On the basis of this the police decided to search Savarkar's house. When the police arrived Savarkar significantly asked Nagarvala whether he had come to arrest him in connection with Gandhiji's murder. But when he was told that it was only a search in connection with Gandhiji's case, Savarkar pretended to be ill and went inside the room and lay down. A mob started attacking his house, it was only the timely arrival of a large police squad which saved him and his property. He mentioned to the Police that the mob fury was likely to be repeated and wanted police protection. Poona and Ahmednagar Police were contacted because of Karkare, Badge and others being accused with instructions to carry out searches at their places of residence and to arrest them.

Several Hindu Mahasabhaites who were anti-Gandhi were rounded up and their homes searched but nothing important was recovered. Several other persons were arrested. They were all RSS or Hindu Mahasabha workers.

Nagarvala's investigations between 21st and 30th January in the Bomb Case came under sever criticism from Lai.

25.83 Lal argued that when Morarji Desai had mentioned the name of Savarkar in conjunction with Karkare and had also told Nagarvala that there was a conspiracy to murder Mahatma Gandhi, he should have directed his attention to Maharashtrian Brahmins, to Savarkar and his followers who were mostly in Poona and Ahmednagar and not followed his *will-o'-the-wisp* of Punjabis and the theory to kidnap. He had also criticised Nagarvala for not mentioning the kidnap theory in his Crime Report at all and he wanted the Commission to infer there from that what had been stated in the Crime Report was not a correct representation of facts and that it was a false document. From the fact that the kidnapping theory is not mentioned in the Crime Report, no inference can be drawn that the Crime Report is a false document. By the time the Crime Report came to be written, Mahatma

Gandhi had been murdered so that the theory which Nagarvala was working on had been proved to be wrong if not *ignis fatuus*. He had by then been appointed a Special Officer of the Delhi Police to investigate in to the murder. It was unnecessary at that stage to mention the tangential investigational line which for some reason or another perhaps wrongly Nagarvala had hitherto pursued.

For all his bungling in investigating the Bomb Attack case and exposing the conspiracy to murder before the actual murder it must be said that Nagarvala carried out a very efficient investigation of the Gandhi Murder Case and managed to build a case which withstood very severe attacks from the Defence Counsels in the Special Court.

25.104 The Commission would like to emphasise that the difference between the two theories, the theory of conspiracy to murder and of conspiracy to kidnap was this; that in the former case the emphasis would have been on Savarkarites of Poona who believed in political assassination, and in the later the emphasis could and would have been on a mixed crowd as indeed it was in the present case.

25.106 All these facts taken together were destructive of any theory other than the conspiracy to murder by Savarkar and his group and, in the opinion of the Commission, Nagarvala tripped because perhaps he was badly served by informants and contacts on whom he had every right to rely, or there was some erroneous conclusion. Of course, he does say that this was merely an information which had yet to be verified; but did it deserve to be so seriously considered under the circumstances?

25 114 Another lapse in the investigational processes in Bombay can be justifiably be attributed to Rana. He reached Poona on 28 January and his evidence shows that he called the D.S.P. of Poona and asked for Inspector Angarkar for the 29th. Rao Saheb Gurtu was also there and according to Ex. 30, Rana's letter to Kamte, the names of Apte, Godse and Badge were 'known from R.S. Gurtu'. In his testimony before the Commission, Rana stated that when asked Gurtu gave the names of the editor and proprietor of the *Agranee* and the *Hindu Rashtra* and of the proprietor of the Shastra Bhandar to be Godse, Apte and Badge respectively and he gave these names from memory. This is indicative of the fact that even on the 28th no effort was made to find out where the companions of Madanlal were nor any efforts made to arrest Badge whom Nagarvala was looking for. By then Madanlal's statement, Ex. 1 was with Rana, if not with Nagarvala and Rana

could have as he should have warned Delhi as well as Bombay about them and flown watchers and other alert policemen to Delhi as he did after the murder. Here were future murderers on the prowl and no effort was made at the Poona end to warn Delhi or to take preventive measures. Of course by the 28th January Apte and Godse were in Delhi and Karkare who was from Ahmednagar was also at Delhi. Photographs of the later two could also have been flown to Delhi. Some effort should have been made in that direction even if it was rather late. But the Police could not divine that the murder will take place on 30th.

CONSPIRACY TO KIDNAP

25.119 The theory of conspiracy to kidnap Mahatma Gandhi which has been variously described as fantastic, fatuous and even incredible, was sought to be given respectability by Kotwal. He argued that it was no fault of Nagarvala if during the course of his investigation the evidence disclosed a conspiracy to kidnap Mahatma Gandhi and he tried to investigate into the correctness or otherwise of the information.

25.120 Nagarvala in his statement before the Commission has stated that as a police officer if he learnt something about a gang wanting to kidnap Mahatma Gandhi he was duty-bound 1:0 diligently inquire into the matter. He added that his mind was open and he was not obsessed by anything. When asked by the Commission as to whether he seriously believed in the kidnapping theory, his reply was that he did and he added that a police officer does not allow his likes or dislikes to interfere and affect his inquiries.

25.122 There is evidence, submits Kotwal, to show that other people had given credence to this theory. He referred to the evidence of Prof. Jain who stated that Madanlal had told him that he would throw a bomb at a prayer meeting and thus cause confusion which would enable them to 'overpower' Gandhiji.

25.124 In his demi-official letter, Ex. 8, dated 30-1-1948, Nagarvala wrote to Sanjevi that a large number of persons had joined hands to oust the Muslims and for that purpose had collected weapons of all sorts including bombs, and that his opinion was that this gang thought it would be easy to win over the Delhi Police and to kidnap Mahatma Gandhi.

25.125 Kamte, the then Inspector General of Police when recalled stated, 'If I had the information which Professor Jain gave to the Home Minister

and the Minister passed on to Nagarvala in regards to the kidnapping theory of Mahatma Gandhi. I would have worked on that theory'. But as far as the Commission has been able to see, the Minister never gave any information to Nagarvala in regard to kidnapping.

25.126 Morarji Desai when examined on this point stated that Jain did not inform him about kidnapping, that the idea of kidnapping was fantastic but even the kidnapping theory could not have impaired the course of investigation.

25.129 Even Sanjevi had not taken any objection to this theory of kidnapping. Nagarvala had deposed that he told Rana about this theory and a long distance telephone call was made to the D.I.B. to whom the theory of kidnapping was repeated but he did not say anything showing that he thought it to be absurd nor did he disapprove of it or deprecate it. Nagarvala has stated that everyone was satisfied in regard to the kidnapping theory. Rana also said that when the theory of kidnapping was conveyed to Sanjevi on the long distance telephone he did not say anything in disapproval of this theory. Further Nagarvala told Sanjevi that security arrangements regarding Mahatma should be strengthened.

25.132 Kamte Inspector General of Police of Bombay, said that he had no knowledge that the intention of the conspirators was to kidnap Mahatma Gandhi. In his opinion it was a fantastic theory.

25.134 This track of investigational procedure, i.e., of conspiracy to kidnap ignored the definite information given by Madanlal to Prof. Jain and relayed through Morarji Desai to Nagarvala that Madanlal and his companions were going to murder a big leader was none other than Mahatma Gandhi, that his financier Karkare had formed a party in Ahmednagar which indulged in violence, that there was a dump of arms with the party and finally that Savarkar had patted Madanlal on his back appreciating his actions. Further, if Jain's name had been disclosed to Nagarvala, his interrogation by trained and experienced police officers of the Bombay Police would, in all probability, have weighed the scales heavily in favour of the murder theory and would have enfeebled the theory of kidnapping if not jettisoned it. One can quite appreciate the desire of Jain not to have his name disclosed but he could have been given protection in some other manner and even Nagarvala could have been asked to keep his name secret. Besides, if Jain was anxious to go to Delhi to get more

information out of Madanlal which would have unveiled his identity he should not have been afraid to appear before Nagarvala.

25.135 As already remarked, another big difference in the consequences of pursuing the two theories was this. In the conspiracy to kidnap, the suspected participants amongst others were a large number of Punjabis, names of some of whom are given in the Crime Report, and in the letter of Nagarvala to Sanjevi; and in the investigation of the conspiracy to murder theory, the suspect participants were different, i.e., people coming from a particular section of the Maharashtrian community of Poona and Bombay. Of course, they could also have been very many more than those put up for trial. As far as the Commission can see from the evidence before it, the emphasis would in the case of murder conspiracy be directed against the comparatively smaller set of Maharashtrians rather than a large number of persons, a mixed crowd of Savarkarites and of Punjabi Hindus having a grievance on account of the aftermath of Partition of the country. In other words, in case of the murder theory, the investigational energies would have been directed against the disgruntled, antagonistic Maharashtrian Savarkarites, who because of strong idealistic and fundamental differences with Mahatma Gandhi would unhesitatingly end the Gandhian menace once for all, which in their view was the only way to ensure a Hindu Hindustan in contrast to a secular India.

25.136 The Commission on the facts placed before it is unable to find that the attempt to give respectability to the kidnapping theory has, in the circumstances, succeeded.

Interrogation of Savarkar's personal staff—

25.161 The statement of Appa Ramchandra Kasar, Bodyguard of V.D. Savarkar, Ex. 277, which was recorded by the Bombay Police on 4th March 1948 shows that even in 1946 Apte and Godse were frequent visitors to Savarkar and Karkare also sometimes visited him. During the period when the question of Partition of India was being discussed all these three used to visit Savarkar and discussed with him the question of the Partition and Savarkar was telling Apte and Godse that Congress was acting in a manner detrimental to the Hindus and they should carry on a propaganda through the agency of the *Agranee* against the Congress, Mahatma Gandhi and his dictatorial policy.

25.162 In August 1947 when Savarkar went to Poona in connection with a meeting, Godse and Apte were always with Savarkar and were discussing

with him the future policy of the Hindu Mahasabha, Savarkar told them that he was getting old and that they would have to carry on the work.

25.163 In the beginning of August 1947, on the 5th or 6th, there was an All India Hindu Convention at Delhi and Savarkar, Godse and Apte travelled together by plane. At the Convention the Congress policies were strongly criticised. On 11 August Savarkar, Godse and Apte all returned to Bombay by plane.

25.164 In the month of November 1947 there was a conference of All India State Hindu Mahasabha at Mahim and Dr. Parchure and Surya Dev of Gwalior also attended that meeting.

25.165 In the middle of December 1947, Badge came to Savarkar to inquire after his health but he could not see him. But two or three days later he again came and had a 15 minute talk with Savarkar. Karkare, Apte and Godse also met him during that month twice or thrice.

25.166 On or about 13th or 14th January 1948, Karkare came to Savarkar with a Punjabi youth and they had an interview with Savarkar for about 15 or 20 minutes. On or about 15th or 16th 1948, Apte and Godse had an interview with Savarkar at 9.30 pm. After about a week or so, may be 23rd or 24th January 1948, Apte and Godse again came to Savarkar and had a talk with him at about 10 or 10.30 a.m. for about half an hour.

25.167 When the news of Mahatma Gandhi's murder was announced on the radio at about 5.45 pm. Kasar went and informed Savarkar who said that it was bad news and then kept quiet. The same night at 2 am both Damle and Kasar were arrested and brought to the C.I.D. office. Kasar said that he did not know anything about the assassination.

25.168 Gajanan Vishnu Damle, Secretary of Savarkar, was also examined on 4 March 1948 by the Bombay Police. He said that he had known N.D. Apte of the *Agranee* for the past four years. Apte started a rifle club at Ahmednagar and also was an Honorary Recruiting Officer during the war. Apte was a frequent visitor to Savarkar's house and sometimes came with Godse. Savarkar had lent Rs. 15,000 to Apte and Godse for the newspaper when security had been demanded from the *Agranee*. That paper was stopped and a new paper called the *Hindu Rashtra* was started. Savarkar was one of its Directors and Apte and Godse were the Managing Agents. He knew V. R. Karkare who was a Hindu Mahasabha worker at Ahmednagar for about three years and occasionally visited Savarkar. Badge

was also known to him for the last three years. He also used to visit Savarkar.

25.169 In the first week of January 1948, Karkare and a Punjabi Refugee boy came to see Savarkar and they both had an interview with Savarkar for about half an hour or 45 minutes. Neither of them came to see Savarkar again.

25.170 Apte and Godse came to see Savarkar about the middle of January 1948 late at night. Last time that Badge paid a visit to Savarkar was in the last week of December 1947. Several prominent Hindu Mahasabha leaders like Dr. Moonje used to come and see Savarkar.

25.172 When the news was announced on the radio. Damle immediately went to report to Savarkar who said that he would give a statement to the press next morning. The same night Damle and Kasar were arrested.

25.173 The statements of both these witnesses show that Apte and Godse were frequent visitors to Savarkar at Bombay and at conferences and at every meeting they were shown to have been with Savarkar. In August 1947 they were travelling with him both to and from Bombay to Delhi. This evidence also shows that Karkare was also well known to Savarkar and was a frequent visitor. Badge also visited Savarkar frequently. Dr. Parchure visited him too. All this shows that the people who were subsequently involved in the murder of Mahatma Gandhi were all congregating sometime or the other at Savarkar Sadan and sometimes had long interviews with Savarkar.

Investigations showing association of Karkare and Apte—

25.174 Intelligence Bureau file No. 13/HA(R)/59-11, Ex. 224-A, contains some important and revealing documents. At page 11 of this file there is a forwarding letter No. C/3 dated 3-2-1948 from G.S. Chaubal, one of the Deputy Superintendents of Police of the C.I.D. in the office of the D.I.G., C.I.D., Poona and is addressed to J.D. Nagarvala, Deputy Commissioner of Police with a copy to M.K. Sinba, Deputy Director, I.B. in the Ministry of Home Affairs. To this letter was attached a document giving a list of relatives and associates of Karkare and his description. Among the friends and associates at No. 10 was N.D. Apte of Poona. This letter was received in the Intelligence Bureau on the 6th February and was seen by M.K. Sinha, deputy Director on February 9, 1948. These delays in the receipt of important letters are both astounding and not an uncommon feature of the investigation.

25. 175 The next document is at page 13 and is addressed by Chaubal to the Inspector General of Police, Delhi, with a copy to the Deputy Director, I. B., Government of India. It is dated 1 February 1948. It says that four Head Constables were being sent to watch the activities of Maharshtrians, especially N.D. Apte who is considered to be inseparable from N.V. Godse and is also the person referred to in Madanlal's statement as proprietor of the *Hindu Rashtra* of Poona. Their duty will be to point out to the police at Delhi these persons with a view to prevent further outrage. The Constables sent were— Head Constable Kulkarni, Constable Mahajan, Head Constable Jadhav and Head Constable Kadam.

25.178 Another letter at page 21 dated 3 February 1948 is from D.I.G., C.I.D., Poona to the Inspector General of Police, Bombay, with copies to the Deputy Director, I.B. New Delhi and Deputy Commissioner of Police, Bombay. This was also received in the I. B. Office on 9 February 1948. The report attached to this letter is dated 3 February 1948 and shows what action was taken at Poona and Lonavala (near Poona) showing that the police had started taking diligent interest in the investigation. If the information about Karkare and his association with N.D. Apte and the photographs of both Karkare and Apte were in the possession of the D.I.G., C.I.D., it is surprising why nobody asked for it earlier and it is more surprising that Rana should not have directed his office to send these photographs at least of Karkare whose name was known and the names of his associates to Nagarvala at Bombay or Sanjevi at Delhi. Nagarvala also could have easily asked for this information from the office of the D.I.G., C.I.D., Poona which is equally applicable to the D.I.B. at Delhi who was also Inspector General of Police at that time. The sending of the Head Constables from Poona if it had been done earlier as was suggested in the statement of N.M. Kamte and R. N. Bannerjee, might have averted the catastrophe. Of course it is only a 'might have'.

25.181 At various pages of that file, there is a mention of different persons who were arrested and interrogated but at page 52 is the statement made before a Magistrate under section 164 Cr. PC. of one Devendra Kumar, who was originally a resident of Goa and had joined the Hindu Rashtra Dal in March 1937. He stated that he met N.V. Godse who was Captain of the Dal. The statement shows how the deponent was taught to manufacture bombs and to use guns from bicycles and cars and how to use pistols and revolvers. He was also training others. Among other things he

disclosed that it was planned that Mahatma Gandhi, Nehru, Sardar Patel, Maulana Azad and Baldev Singh should all be killed as they were standing in the way of the Rashtra Dal. The party was waiting for a chance to execute this programme. He then added:—

'We were creating hatred against these leaders in the minds of the public and it was planned that as soon as the public was ready the leaders should be killed one by one.... When I heard of the sad incident about Gandhiji, I became unnerved. I dropped a letter to Savarkar threatening to expose the conspiracy if he did not desist from the execution of the rest of the programme....'

25.182 Among the names of the conspirators to assassinate Mahatma Gandhi he named Desh Pandey, Apte, Godse, A. Chavan, Modak, Jog, Damle and Kasar, Secretary and Bodyguard of Savarkar respectively. Keskar, Joshi, Jogulkar and Chandrashekhur Aiyer. He gave a list of the manufacturers of bombs and amongst them was D.R. Badge of Narainpeth, Poona. This statement may in the context of the offence mean nothing but it does show that after the murder the police throughout the country became active. Devendra Kumar was examined by a Magistarte at Mirzapur in U.P. and the investigation was done by officers of Benaras and Lucknow. This Devendra Kumar was brought to Delhi and was examined by the police there and his statement shows a fair amount of knowledge of the working of the Hindu Mahasabha and the Rashtra Dal and that among the prominent workers of the Savarkar group were Kasar, N.D. Apte, N.V. Godse, Karkare and several others with whose names we may not be concerned. The statement also mentions a session of the Hindu Mahasabha at Barsee where Nathuram Godse made a very fiery speech and raised most objectionable slogans against the Congress Government like, 'Down with Maulana Gandhi', 'Down with Gandhiism'. Godse also advocated the collection of arms and ammunitions to fight the Congress and the main targets were 'Maulana Gandhi', Pandit Jawaharlal Nehru, Sardar Patel, Maulana Azad and Baldev Singh. This was at a meeting of the Hindu Rashtra Dal at Jogeshwari Mandir at which Godse, Apte, Karkare, Kasar and several others were present.

Chapter XXVI of the Kapur Commission's Report deals with its findings on the terms of reference of the Commission. The Chapter deals with in details all the findings of the Commission but since I have reproduced the

investigations in detail it is not necessary to go into all the details again except for some which are revealing.

26.3 The following gentlemen from Poona must be held to have had prior knowledge; Balukaka Kanitkar, S.R. Bhagwat, R.K. Khadilkar, Keshavrao Jedhe, Member Constituent Assembly and G.V. Ketkar. In this category one may include N.V. Gadgil who was given some information by Jedhe, in language which was full of conundrums and which, therefore, makes it almost valueless. Besides these gentlemen, Purshottamdas Trikamdas, Barrister-at-Law of Bombay, has deposed that a man came to him whose name he could not recall and told him about the threat to the life of Mahatma Gandhi. Trikamdas took him to B.G. Kher and then to Morarji Desai who has no recollection of this. Kanji Dwarkadas has also given evidence of some information which B.G. Kher had but the Commission is unable to derive much benefit from his testimony.

26.4 If the word 'Conspiracy' is read in its technical sense, then the only persons who before the bomb was exploded at Birla House had any knowledge of the conspiracy were Prof. Jain and his friends Angad Singh and Prof. Yajnik and after the bomb was exploded G.V. Ketkar also had this information. The others can not be said to have had any knowledge about the conspiracy. But the former (Prof. Jain) did not have any knowledge of Nathuram Godse whereas G.V. Ketkar had that knowledge.

26.5 As regards the second question the Commission has found in the discussion in the Chapter 'sub-nomine' G.V. Ketkar and Balukaka Kanitkar, i.e. under the first term of reference (a), that G.V Ketkar whose name has been particularised in the first term of reference, did have, according to his own statement, knowledge of danger to the life of Mahatma Gandhi, knowledge that Nathuram Godse was determined to murder him and also the knowledge of the conspiracy to murder Mahatma Gandhi in which besides Nathuram Godse, there were other participants e.g. Badge and Apte.

TERMS OF REFERENCE (C)

26.76 There is also evidence to show that there was a group of persons mostly Punjabis who had joined together with the object of turning out Muslims and forcing them to go to Pakistan. Amongst them were Avtar Singh of Sher-e-Punjab Hotel who had been detained, Balraj Mehta, Somnath Kapur, one Chavan who was also under detention. They had under

them a number of other Punjabis and followers of Savarkar and members of the RSS. They had an easy access to military arms and ammunition and had support and backing of disgruntled rich Punjabis. There was one other in this group, N.V. Limaye, who was also arrested and detained in connection with bomb outrages in Greater Bombay. Thus, there was an organisation which was subsequently suspected by Nagarvala of being involved in the bomb outrage on Mahatma Gandhi, but their communal activities had come to the notice of the Bombay Special Branch earlier and some of them were detained and activities of others were being watched. Thus, in Bombay also there was an organisation which was anti-Muslim whose object was to oust the Muslims; and they had collected weapons of all sorts including bombs so much so that even ex-Col. Mohan Singh of the I.N.A. was suspected though wrongly of being in it, (Nagarvala had also claimed that this group had contacted the Speaker of the U.P. Provincial Assembly Purshottamdas Tandon) and that was at the bidding of Master Tara Singh, the well known Akali Leader. But it has not been proved that this group had anything to do with the Delhi bomb or anti- Gandhi propaganda much less with attempt to murder him.

26.102 Inspite of the erroneous line of investigation adopted by Nagarvala, he was farsighted enough to warn the D.I.B. on January 27th to be careful about the safety of Mahatma Gandhi. That was on the basis of 20X20, i.e., 400 would be kidnappers and if proper precautions were taken in Delhi, the assassin might not have been successful or left unwatched.

26.117 Bannerjee has rightly said that the police was guilty of lethargy and inefficiency and the Commission is of the opinion that in the circumstances those precautions should have been taken, which were deposed before the Commission and in their depositions suggested by police experts. But its result might not be predictable.

26.118 The Commission is unable to hold that the failure of the Bombay Police or their non-cooperation or their wrong investigational tracks, was any justification for the inefficiency shown by the Delhi Police. That however does not exonerate the Bombay Police of the blemishes in their investigation or of rigidness.

26.119 The three principal lacunae of Delhi Police were the failure to provide unobtrusive protection to Mahatma Gandhi and the failure to get Bombay Police to guard and act as watchers and spotters and the failure to

get the identity of the proprietor of *'The Hindu Rashtra'* and put the Poona Police on to trace him and his associates.

FINDINGS SUMMED UP

26.120 The findings of the Commission on the three terms of reference are as follows:—

TERMS OF REFERENCE (A)—

(i) G.V. Ketkar of Poona did have prior information about danger to the life of Mahatma Gandhi in October or November 1947.
(ii) He did have information of the conspiracy of Nathuram Godse which he learnt from his talk with D.R. Badge on or about 23 January 1948.
(iii) Up to the time he met Badge, he did not know that Apte and Badge were in the conspiracy to murder Mahatma Gandhi; but he must have known about Nathuram Godse's complicity as Nathuram had told him in October or November of his intention or plan to assassinate the Mahatma.

That is the finding of the Commission on the first term of reference.

26.121 Its finding on the second i.e. (b) are as follows:—

TERMS OF REFERENCE (B)—

(i) G.V. Ketkar did not communicate any information to the Government of Bombay or to the Government of India or any of its authorities.
(ii) In particular, Ketkar did not get any information conveyed to the late B.G. Kher through the late Balukaka Kanitkar. This claim made by him is not established. Balukaka Kanitkar conveyed the information of danger to the life of Mahatma Gandhi and other top leaders of the Congress, on his own and out of his own volition. 26.122 The findings of the Commission on the third term i.e. (c)are as follows:

TERM OF REFERENCE (C)—

(i) On the basis of the information conveyed to the Government of Bombay, and in particular to B.G. Kher, no action to try and get the information checked is proved to have been taken by the Government of Bombay or by B.G. Kher. Or by any authority under that Government. The information, in the opinion of the Commission, was vague, misty,

nebulous and obscure but the matter should have been referred to the Police C.I.D. and got properly vetted and confirmed. It must be added that it will be highly speculative and conjectural on the part of the Commission to say what the result of this investigation would have been. It might well have been as unproductive, sterile and fruitless as was the result of investigation following definite information given by Prof. Jain or the confessional police statement of Madanlal.

(ii) There is no evidence from Delhi Secretariat or official records or from evidence of Delhi witnesses to show that the information given by Balukaka Kanitkar to B.G. Kher was conveyed to Government of India, i.e. Sardar Patel, Balukaka Kanitkar in a subsequent letter, Ex. 11, did say that B.G. Kher told him that he had conveyed the information to the Sardar. But there is no corroboration of this bald statement either in the evidence of Sardar's Private Secretary V. Shankar or of R. N. Bannerjee or of Maniben Patel. Morarji Desai had stated that Sardar already knew about it from his own sources.

(iii) The information of Balukaka Kanitkar was neither conveyed to any officer of the Government of Bombay nor to any officer of the Government of India.

(iv) There is evidence of Morarji Desai that information given by Balukaka was taken into consideration when the threat relating to welcome to and felicitation of Daji Joshi was discussed. At that meeting Messers Kher and V.T. Dehejia and Morarji Desai were present.

(v) There is evidence of V. Shankar that whatever information Sardar had in regard to danger to the life of Mahatma Gandhi whether conveyed to him by Morarji Desai or received through his own sources was communicated to and discussed with the Provincial Government which, in the opinion of the Commission, was the proper thing to do under the Constitution.

(vi) The precautions taken at Birla House and the adequacy thereof have been discussed in sub chapters (G) and (H) of Chapter XII.

(x) the investigation of the Delhi Police after the arrest of Madanlal was not of a high professional order and it lacked investigational skill and drive which one should have expected from a trained police force and particularly in the case of threat to the life of a person of the eminence of Mahatma Gandhi taking into consideration the knowledge of the factum

of a conspiracy to murder Mahatma Gandhi which information Madanlal after his arrest gave to the Delhi Police.

(xi) The D.I.G., C.I.D., Poona, U. H. Rana seems to have ignored the importance and utility of Madanlal's fuller statement, Ex.1, wherein the mention of the proprietor of 'the *Hindu Rashtriya'* was a very valuable clue, which if pursued would have disclosed the identity of Apte and with a little more diligence also of Godse. Whether they could have arrested them or not would still be speculative.

(xii) it is unfortunate that Nagarvala was not allowed an opportunity to read and study Madanlal's statement, Ex.1, and it is surprising why he did not evince any interest in that statement and insist or reading it through to find out what Madanlal had disclosed. This action is quite at variance with his later action after the murder, when he got Madanlal over to Bombay and interrogated him at great length. No doubt, then he was the principal investigator and previously he was what he calls, working out an information. It might be that his inquiry was complementary to the investigation by the Delhi Police, but a study of Madanlal's statement should have been as helpful then as it was after the murder.

(xiii) The powers of the Police to move in a case like the present where information was given to the Bombay Police of a conspiracy to murder Mahatma Gandhi at Delhi have been debated before the Commission. It was argued that in such cases the Bombay Police, as then constituted, was helpless and had no power to investigate and take action.

(xiv) Evidence shows that Godse and Apte were staying at different hotels under assumed names. Where the hotelkeeper had no means of knowing that the names being given are false, there may be no easy remedy. But where, as in the case of the Arya Pathik Ashram, the manager, Gaya Shankar Dubey, PW. 68, was aware that Apte had given a false name and yet he allowed that to be done without demur, the law should be made stringent and should make the hotelkeeper liable in such cases to higher penalty then merely a small fine.

(xv) In considering the measures taken by the authorities this crucial fact has to be kept in view that the Congress Governments had just come into power after several years of struggle by the Congress and its helpers against the British Government, in which the strictness of police interference with the liberty of the subject played a very important part. The Congress Governments could not suddenly adopt or allow the

adoption of strict measures by the police, a tail put on by them on and keeping, as it were, under surveillance citizens of India even if they happened to be rather bad citizens.

Shastri Bhavan,	**J.L. Kapur,**
New Delhi,	Commission of Inquiry,
September 30, 1969	Mahatma Gandhi Murder Conspiracy

With the submission of the Kapur Commission's Report, the curtain finally fell on the final chapter in the sordid saga of the murder of Mahatma Gandhi, the Father of the Nation.

APPENDICES

APPENDIX I

'REX VERSUS NATHURAM GODSE AND EIGHT ACCUSED.

I, Atmacharan, am charging you Nathuram Godse (37), Narayan Apte (34), Vishnu Karkare (37), Madanlal Pahwa (20), Shankar Kistayya (20), Gopal Godse (27), Vinayak Savarkar (65) and Dattatreya Parchure (49):

I

Firstly, that you, Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Madanlal K. Pahwa, Shankar Kistayya, Gopal V. Godse, Vinayak D. Savarkar and Dattatreya S. Parchure between December 1, 1947, and January 30, 1948, at Poona, Bombay, Delhi and other places agreed and conspired among and between yourselves and Digambar R. Badge, who has been tendered a pardon. Gangadhar S. Dandawate, Gangadhar Jadhav and Suryadev Sharma, who along with others not known are absconding, to do or caused to be done an illegal act, *viz.*, to commit the murder of Mohandas Karamchand Gandhi more popularly known as 'Mahatma Gandhi' that the same act, *viz.*, the murder of 'Mahatma Gandhi' was done in pursuance of the said agreement and conspiracy at Delhi on January 30, 1948, and thereby committed an offence punishable under Section 120(B) of the Indian Penal Code read with Section 302 of the Indian Penal Code and within the cognisance of the Court;

II

Secondly, that in pursuance of the said agreement and conspiracy between January 10, 1948 and January 20, 1948, you Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Madanlal K. Pahwa, Shankar Kistayya and Gopal V Godse along with Digambar R. Badge:

A(1) transported without a licence to Delhi arms and ammunition, viz., 2 revolvers with cartridges, in contravention of the provisions of Section 10 of the Indian Arms Act and thereby committed an offence punishable under Section 19(d) of the Indian Arms Act and within the cognisance of the Court;

(2) Abetted each other in the commission of the above offence and thereby committed an offence punishable under Section 19(d) of the Indian Arms Act read with Sections 109 and 114 of the Indian Penal Code, and within cognisance of the Court;

B(1) at Delhi, had without a licence in your possession under your control arms and ammunition, *viz.*, 2 revolvers with cartridges, in contravention of the provisions of Section 14 and 15 of the Indian Arms Act and there by committed an offence punishable under Section 19(f) of the Indian Arms Act and within the cognisance of the Court;

(2) at Delhi, abetted each other in the commission of the above offence and thereby committed an offence punishable under Section 19(f) of the Indian Arms Act read with Section 114 of the Indian Penal Code and within the cognisance of the Court;

III

Thirdly, that in pursuance of the said agreement and conspiracy between January 10, 1948 and January 20, 1948, at Delhi you Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Madanlal K. Pahwa, Shankar Kistayya and Gopal V. Godse along with Digambar R. Badge:

A(1) had in your possession and under your control explosive substances, *viz.,* 2 gun-cotton-slabs and five hand grenades with detonators and wicks, with intent to endanger life by means thereof or to enable any other person to endanger life thereof and thereby committed an offence Punishable under Section 4(b) of the Explosive Substance Act and within the cognisance of the Court;

(2) abetted each other in the commission of the above offence and thereby committed an offence punishable under Section 4(b) of the Explosive Substances Act read with Section 6 of the Act and within cognisance of the Court;

B(1) had in your possession and under your control explosive substances, *viz., 2* gun-cotton-slabs and 5 hand grenades with detonators and wicks, under such circumstances as to give rise to a reasonable suspicion that you did not have them in your possession or under your control for a lawful object and thereby committed an offence punishable under Section 5 of the Explosive Substances Act and within the cognisance of the Court;

(2) abetted each other in the commission of the above offence and thereby committed an offence punishable under Section 5 of the Explosive Substances Act read with Section 6 of the Act and within the cognisance of the Court;

IV

Fourthly, that in pursuance of the said agreement and conspiracy on January 20, 1948, at Birla House, Delhi, you A(1) Madanlal K. Pahwa unlawfully and maliciously caused an explosive substance, viz., a gun-cotton-slab, to explode, which explosion was of a nature likely to endanger life and to cause serious injury to property and thereby committed an offence punishable under Section 3 of the Explosive Substances Act and within the cognisance of the Court; (2) Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Shankar Kistayya and Gopal V. Godse along with Digambar R. Badge abetted Madanlal K. Pahwa in the commission of the above offence, and thereby committed an offence punishable under Section 3 of the Explosive Substances Act read with Section 6 of the Act and within the cognisance of the Court;

V

Fifthly, that in pursuance of the said agreement a conspiracy on January 20, 1948 at Birla House, Delhi, you Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Madanlal K. Pahwa, Shankar Kistayya, Gopal V. Godse and Vinayak D. Savarkar along with Digambar R. Badge abetted each other in the commission of an offence, *viz.*, to commit the murder of 'Mahatma Gandhi' which offence is punishable with death or transportation for life and which offence was not committed in consequence of the abetment and thereby committed an offence punishable under Section 115 of the Indian Penal Code read with Section 302 of the Indian Penal Code and within the cognisance of the Court;

VI

Sixthly, that in pursuance of the said agreement and conspiracy between January 28, 1948, and January 30, 1948, you

A(1) Nathuram V. Godse and Narayan D. Apte brought without a licence from Gwalior to Delhi arms and ammunition, viz., automatic pistol No. 606824 with cartridges, in contravention of the provisions of Section 6 of the Indian Arms Act and thereby committed an offence punishable under Section 19 (c) of the Indian Arms Act and within the cognisance of the Court;

(2) Nathuram V. Godse, Narayan D. Apte and Dattatreya S. Parchure abetted each other in the commission of the above offence punishable under Section 19(c) of the Indian Arms Act read with Section 114 of the Indian Penal Code and within cognisance of the Court;

B(1) Nathuram V. Godse at Delhi, had in your possession and under your control arms and ammunition, viz., automatic pistol No.606824 with cartridges, in contravention of Section 14 and 15 of the Indian Arms Act and thereby committed an offence punishable under Section 19(f) of the Indian Arms Act and within the cognisanceof the Court;

(2) Narayan D. Apte and Vishnu R. Karkare at Delhi, abetted each other in the commission of the above offence and thereby committed an offence punishable under Section 19(f) of the Indian Arms Act read with Section 114 of the Indian Penal Code and within the cognisance of the Court;

VII

Seventhly, that in the pursuance of the said agreement and conspiracy on January 30, 1948, at the Birla House, Delhi you:

A(1) Nathuram V. Godse did commit murder by intentionally and knowingly causing the death of 'Mahatma Gandhi' and thereby committed an offence under Section 302 of the Indian Penal Code and within the cognisance of the Court;

(2) Narayan D. Apte and Vishnu R. Karkare abetted Nathuram V. Godse in the commission of the above offence, which offence was committed in your presence, and thereby committed an offence punishable under Section 302 of the Indian Penal Code read with Section 114 of the Indian Penal Code and within the cognisance of the Court;

(3) Madanlal K. Pahwa, Shankar Kistayya, Gopal V. Godse, Vinayak D. Savarkar and Dattatreya S. Parchure along with Digambar R. Badge abetted Nathuram V Godse in the commission of above offence and thereby committed an offence punishable under Section 302 of the Indian Penal

Code read with Section 109 of the Indian Penal Code and within the cognisance of the Court.

H. Atmacharan,
I.C.S., Judge, Special Court.
22 June 1948, Red Fort, Delhi"

APPENDIX II

LIST OF WITNESSES FOR THE PROSECUTION AND THE DATE ON WHICH THEY APPEARED IN COURT

1. Ishwardutt Mulchand - C.I.D., Gwalior; 24th June
2. Ramlal Dutt - Manager, Sharif Hindu Hotel, Delhi; 24th June.
3. Shanti Prakash - Partner, Shrif Hindu Hotel, Delhoi; 25th June.
4. Ramsinh - Servant, Sharif Hindu Hotel, Delhi; 25th June.
5. Shantaram Amchekar - Refugee who stayed at Sharif Hindu Hotel with Karkare. 25th June.
6. Hiranandani - Clerk, Govt. Bureau of Transfers, Delhi; 25th June.
7. Ramchandra - Clerk, Marina Hotel, Delhi; 25th June.
8. Narayansingh - Head Bearer, Marina Hotel, Delhi; 25th June.
9. Mehar Singh - Sepoy, Forrest Department, Delhi: 29th June.
10. Kaleram - Bearer, Marina Hotel, Delhi; 29th June.
11. Govind Ram - Bearer, Marina Hotel, Delhi; 29th June.
12. Pacheko - Manager, Marina Hotel, Delhi; 29th June.
13. Martin Thaddeus - Clerk, Marina Hotel, Delhi; 29th June.
14. Surjeet Singh - Taxi Driver, Delhi; 30th June.
15. Sulochana Devi - Housewife, Delhi; 1st July.
16. Choturam - Servant, Birla House, Delhi; 1st July.
17. Bhuresinh - Watchman, Birla House, Delhi; 2nd July.
18. K.M. Sahni - Officer in Charge of Refugees, Karnal; 5th July.
19. Ram Prakash - Manager, Frontier Hindu Hotel, Delhi; 6th July.
20. Chamanlal Grover - *Pancha*, Delhi; 6th July. |
21. S.C. Rai - Explosives Inspector, Agra; 7th July.
22. Kunvar Singh - Police Photographer, Delhi; 7th July.
23. PR. Kailash - Officer Telephone Exchange, Delhi; 7th July.
24. Lala Badrinath - Ticket Clerk (Railways), Delhi 7th July.
25. N.N. Kapoor - Cartographer, Delhi; 7th July.
26. Sunderlal - Booking Clerk (Railways), Delhi Station; 8th July
27. Harikishan - Bearer, Delhi Station; 8th July.
28. Jannu - Cobbler, Delhi Station, 4th July.
29. Devkinandan - Head Constable, Delhi; 8th July.

30. Flight Sergeant Ramchandra - IAF, Delhi; 9th July.
31. Amarnath - Sub. Inspector of Police, Delhi; 9th July.
32. Nandlal Mehta - Gandhiji's Companion; 9th July.
33. Kabul Singh - Head Constable, Delhi; 9th July.
34. Ratan Singh - Constable, Delhi; 9th July.
35. Dhaluram - Assistant Sub. Inspector, Delhi; 9th July.
36. Parashram - Assistant Sub. Inspector, Delhi; 9th July.
37. Dharam Singh - Head Constable, Delhi; 9th July.
38. P.N. Taneja - Civil Surgeon, New Delhi; 12th July.
39. Jagdish Prasad Goel - Gwalior; 12th July.
40. Sardarilal Verma - Supervisor, Telephone Exchange, Delhi; 12th July.
41. Miss Balwant Kaur - Telephone Operator, Delhi; 12th June.
42. Miss G. Phurness - Telephone Operator, Delhi; 12th July.
43. Ghariba - *'Tonga'* Horse Cab Driver, Gwalior; 13th July.
44. Jumma - *'Tonga'* Horse Cab Driver, Gwalior; 13th July.
45. Shivpyarelal Dixit - Inquiry Clerk, Kanpur Station; 13th July.
46. A.B. Saksena - Clerk, Kanpur Station; 13th July.
47. Angelina Colestone - Matron, Kanpur Station; 13th July.
48. Raghupatirao Handa - Guide, Delhi Railway Station; 13th July.
49. Saiyad Manzarali Rizvi - Magistrate, Gwalior; 14th July.
50. Madhukar Keshav Kale - Gwalior; 14th July.
51. Madhukar Balkrushna Khaire - Gwalior; 15th July.
52. Ramdayal Singh - Gwalior; 15th July.
53. Jagunnath Singh - Gwalior; 15th July.
54. Gungansinh - *Lambardar,* Delhi; 16 July.
55. Biharilal - *Thanedar,* Delhi; 16th July.
56. R.B. Atal - Magistrate First Class, Gwalior; 19th July.
57. Digambar Badge - Approver, Poona; 20th, 21st, 22nd, 23rd, 26th, 27th, 28th, 29th, 30th, 31st July.
58. Dr. D.N. Goel - Scientist, Director, Punjab; 2nd August.
59. Satyavan Bhilaji Rale - Manager, Sea Green Hotel, Bombay; 2nd August.
60. Miss Shanta Bhaskar Modak - Actress, Poona, 3rd August.
61. Kashmirilal - Elphinstonee Hotel, Bombay; 3rd August.
62. Narsinh Bhagaji - Bombay Laundry, Poona. 3rd August.
63. Gayaprasad Dube - *Arya Pathik Ashram,* Bombay; 3rd August.

64. Govind Vishwanath Malekar - Servant, Elphinstone Hotel, Bombay; 3 August.
65. Candido Pinto - Clerk, Apollo Hotel, Bombay; 4th August.
66. Michael Patrick Kerry - *Pancha*, Bombay; 4th August.
67. Prof. Jagdish Chandra Jain - Ramnarayan Ruia College, Bombay; 4th, 5th, 9th August.
68. John Freitus - *Pancha,* Bombay; 9th August.
69. Gosvami Shrikrushnaji Maharaj - Bombay; 9th, 10th August.
70. Shridhar Narayan Vaidya - Insurance Company; Bombay 10th August.
71. Miss Lorena Bainbridge - Air Hostess, Bombay; 16th August.
72. Angad Singh - Agent, Bombay; 13th, 16th August.
73. Ganpat Bhimrao Afzulpurkar - Pensioner, Bombay; 16th August.
74. Charandas Meghji Mathuradas - Bombay; 16th to 20th August.
75. Leslie Perceival Pande - Kirkee; 16th to 20th August.
76. Raghunath Naik - Gardner, Birla House, Delhi; 16th to 20th August.
77. Gosvami Dixit Maharaj - Bombay; 20th, 21st,23rd August.
78. Morarji Desai - Home Minister, Bombay; 23rd, 24th, 25th August.
79. Vasant Gajanan Joshi - Thana, Bombay 25th August.
80. Aitappa Krishna Kotiyan - Taxi Driver, Bombay; 26th August.
81. Ganpat Sambhaji Kharat - M. L. A., Bombay; 26th August.
82. Gurbachan Singh - Delhi; 30th August.
83. Prabhakar Lakshman Afale - Clerk, Poona; 30th August.
84. Madhusudan Gopal Golwalkar - Gwalior; 30th August.
85. Pandurang Vinayak Godbole - Poona; 31st August.
86. Mahadev Ganesh Kale - Kurla, Bombay; 31st August.
87. Ramchandra Mohiniraj Patankar - Kurla, Bombay; 31st August.
88. Govind Vishnu Kale - Poona; 31st August.
89. Shiva Nagesh Shetty - *Pancha,* Bombay; 1st September.
90. Yashvant Shantaram Borkar - *Pancha,* Bombay, 1st September.
91. Vinaykumar Shantaram Pradhan - *Pancha,* Bombay; 1st September.
92. Krushna Chandra - Magistrate, Delhi; 2nd September.
93. S.R. Sehgal - Employee, Refugee Section, Delhi; 2nd September.
94. Ramanlal Desai - Ticket Collector, Vile Parle Railway Station, Bombay 3rd September.
95. John Gomes - Ticket Collector, Elphinstone Road Railway Station, Bombay; 3rd September.

96. Raghu Parmeshwar Naik - *Pancha*, Bombay; 3rd September.
97. Nathuram Agrawal - Railway Employee, Ajmer; 6th September.
98. J. Mendes - Railway Employee, Dadar, Bombay; 6th September.
99. Dattatreya Ramchandra Kate - *Pancha,* Bombay; 6th September.
100. K.P. Perreira - *Pancha*, Bombay; 7th September.
101. S.Y. Surve - *Pancha,* Bombay; 7th September.
102. Biharilal - Ludhiana, 7th Spetember.
103. Tryambak Hari Jachak - *Pancha,* Poona; 8th September.
104. Narayan Ganesh Dabke - Tailor, Poona; 8th September.
105. VS. Dalvi - *Pancha,* Bombay; 8th September.
106. Mahadev Govind Kulkarni - *Pancha,* Poona; 9th September.
107. Dinkar Pandurang Thorat Patil - Police Captain, Gwalior; 9th September.
108. Dr. P.D. Gokhale - *Pancha,* Poona; 10th September.
109. Balkrushan Vaman Inamdar - *Pancha,* Poona; 10th September.
110. Shivkannakunja Vilchand - *Pancha*, Bombay; 10 September.
111. Frank Rebello - *Pancha,* Bombay; 10th September.
112. Janardan Dinkar Savlekar - Employee Telegraph Department,Bombay; 10th September.
113. Brown - Chief Presidency Magistrate, Bombay; 13th September.
114. Gajanan Balkrushna Kawthankar - *Pancha,* Bombay; 14th September.
115. Dasvanda Singh - C.I.D., Delhi Police; 14th & 15th September.
116. Jaswant Singh - Police Captain, Delhi; 16th to 20th September.
117. Balkrushna Khanna - Imperial Bank, Gwalior; 20th September.
118. Namdeo Tayyappa Nagmode - Poona; 20th September.
119. Honaji Ganpat Shelar - Poona; 20th September.
120. Arun Gandhi - Pancha, Poona; 20th September.
121. Shankar Ganpat Ghadge - Bombay; 21 September.
122. Deulkar - Deputy Superintendent C.I.D., Poona; 21st & 22nd September.
123. Suryanarayan Vyas - Astrologer, Ujjain 21st & 22nd September.
124. M.K. Nerurkar - Employee, Palam Air Port, Delhi; 21st & 22nd September.
125. P. Jayraman - Clerk Air Services, Bombay; 27th September.
126. D.V. Mhaskar - Clerk, Education Department, Poona; 27th September.
127. B.S. Haldipur - Inspector of Police, Bombay; 27th, 28th & 29th September.

128. A.R. Pradhan - Inspector of Police C.I.D., Poona; 30th September.
129. C.R. Pradhan - Sub Inspector C.I.D., Bombay; 1st October.
130. Mandlik - Inspector of Police C.I.D., Gwalior; 1st to 4th October.
131. S.K. Bhavnagri - Explosives Inspector, Bombay; 4th &5th October.
132. J.D. Nagarvala - Deputy Commissioner C.I.D., Bombay; 5th,6th, 7th, 8th October.
133. Gajjar - Handwriting Analyst, Poona 21st, 25th, 26th,27thOctober.
134. Pinto - Inspector of Police C.I.D., Bombay; 27th & 28th October.
135. Raje - Police Photographer, Poona; 28th October.
136. Gulabchandra - Builder, Delhi 28th October.
137. Chakradhar - Booking Clerk, Railways, Delhi; 28th October.
138. Bhojaram - Railway Platform Inspector, Delhi; 29th October.
139. Major Dadabhai Manekjee - Gwalior; 29th October & 5th & 6th November.
140. H.B. Jarindkar - Head Clerk Agriculture Department, Poona; 29th October.
141. Ramprasad - Information Director, Gwalior; 29th October.
142. Vinayak Raghunath Darshethkar - Head Clerk, University of Bombay; 5th November.
143. Raghavan - Superintendent of Records, Gwalior; 5th November.
144. Keshav - Thanedar, Lashkar, Gwalior; 5th November.
145. Shyambahadur - Pancha, Gwalior; 5th & 6th November.
146. Adityaram - Astrologer, Delhi; 5th & 6th November.
147. Virendra Singh - Sub. Inspector of Police, Gwalior; 5th & 6th November.

Disallowed Witnesses

148. Jayprakash Kudesia - Ticket Collector, Thana Railway Station; 6th September.
149. J.S. Paranjape - Explosives Expert, Bombay; Was Not Called.

Important Dates of the Gandhi MurderConspiracy and Trial

20 January 1948 - Bomb explosion during Gandhi's evening prayer meeting.
30 January - Gandhi murdered.

8 May - Special court established in Delhi.
15 May - Names of the accused and the chargesheet filed.
27 May, 3 June and 14 June - Preliminary proceedings in Gandhi murder case.
22 June - Conditional pardon for Badge announced, Badge declared approver. Chargesheet published, statement of the prosecution counsel.
24 June - Examinations and recording of statement of prosecution witnesses.
20-31 June - Approver' Badge's statement recorded.
6 November - Examination and recording of statements of prosecution witnesses ends.
8-22 November - Statement of accused recorded and the accused questioned.
1-9 December - Arguments by prosecution counsels.
10-30 December - Arguments by defence counsels.
10 February 1949 - Judgement and sentencing.

APPENDIX III

(THIS HAS BEEN REPRODUCED VERBATIM) THE PROSECUTION'SVERSION

'Nathuram V Godse, is the editor and Narayan D. Apte, the manager of the *Hindu Rashtra* published from Poona. They are both Hindu Mahasabhaites, and are said to be close associates of each other and to have the same political outlook. Vishnu R. Karkare is a resident of Ahmednagar, he is also a Hindu Mahasabhaite, and is said to have been known to Nathuram V. Godse and Narayan D. Apte for a considerable time and to have the same political outlook. Madanlal K. Pahwa is a refugee from the Punjab. He is said to have first come in contact with Vishnu R. Karkare and through him with Nathuram V. Godse and Narayan D. Apte. Digambar R. Badge (approver) runs the Shastra Bhandar at Poona, and of late has been trafficking in arms, ammunition and explosives. He is also a Hindu Mahasabhaite, Shankar Kistayya is the servant of Digambar R. Badge, Gopal V Godse is the brother of Nathuram V. Godse. Vinayak D. Savarkar requires no introduction. He is the ex-president of the Hindu Mahasabha, and resides at the Savarkar Sadan, Bombay. Dr. Dattatreya S. Parchure resides at Gwalior and is said to be the leader of the Hindu Sabha at Gwalior. He is said to be a British subject domiciled in the 'Dominion of India'.

Partition of India

The partition of the country took place on 15 August 1947, and British India was divided into the 'Dominion of Pakistan' on 14 August, 1948, and the 'Dominion of India', on 15 August, 1948. The circumstances in which the Congress agreed to the partition of the country need not be mentioned here.

The partition of the Country into two Dominions, it is said, was strongly felt by the accused or at least by some of them. They thought that had it not been for Mahatma Gandhi, the country would never have been divided into two dominions. After the partition of the country what happened to the

minority community in the Dominion of Pakistan is well known and need not be mentioned here. Mahatma Gandhi did all what he could to restrain any sort of counter attacks on the minority community in the dominion of India. This act on the part of Mahatma Gandhi was also strongly felt by the accused or at least by some of them.

Seeing how Mahatma Gandhi was striving to safeguard the interests of the members of the minority community in the Dominion of India, it is said the accused entered into a 'conspiracy' and hatched a plot to end his life. The suggestion of the prosecution appears to be that Vinayak D. Savarkar is the person who got the deed done through Nathuram V. Godse and Narayan D. Apte. Nathuram V. Godse and Narayan D. Apte in turn enlisted the support of Vishnu R. Karkare, Madanlal K. Pahwa, Gopal V. Godse, Dattatreya S. Parchure and Digambar R. Badge and through Digambar R. Badge the support of his servant Shankar Kistayya. Vinayak D. Savarkar, however, throughout kept himself behind the scene.

On 10 January 1948, Digambar R. Badge met Nathram V. Godse and Narayan D. Apte at the Hindu Rashtra office at Poona and agreed to supply them with two gun cotton slabs and five hand grenades at the Hindu Mahasabha office at Dadar on 14 January 1948.

One Dr. J.C. Jain is on the staff of the Ruia College, Bombay. Madanlal K. Pahwa had been known to him for a number of months and" had first come in contact with him as a refugee. On or about 12 January 1948, Madanlal K. Pahwa came to the house of Prof. J.C. Jain, and had a long conversation with him. In the course of his conversation he told him that the members of his party had plotted against the life of Mahatma Gandhi and that he had been entrusted with exploding a bomb at the prayer meeting held by Mahatma Gandhi.

Nomination of the Policy

Nathuram V. Godse, at Poona effected nomination on his life policy for a sum of Rs.2,000 in favour of the wife of Narayan D. Apte on 13th January 1948 and on his other life policy for a sum of Rs.3,000 in favour of the wife of Gopal V. Godse on 14 January 1948. Gopal V. Godse puts in an application for seven days casual leave, from 15 January 1948 till 21 January 1948, on 14th January 1948 at Kirkee (Poona). The application, however, was rejected.

On 14 January 1948 Digambar R. Badge, and Shankar Kistayya proceeded to Bombay. They carried two gun cotton slabs and five hand grenades with primers and detonators. At Bombay, they met Nathuram V. Godse and Narayan D. Apte at the Hindu Mahasabha office in Dadar. Nathuram V. Godse and Narayan D. Apte told Digambar R. Badge that arrangements would have to be made for the keeping of the 'Stuff'. They took him to Savarkar Sadan.

Nathuram V. Godse and Narayan D. Apte entered the compound of Savarkar Sadan and left Digambar R. Badge outside. They carried the 'stuff' brought by Digambar R. Badge. They came out of the compound of Savarkar Sadan shortly afterwards, still carrying the 'stuff'. Then along with Digambar R. Badge, they went back to the Hindu Mahasabha office. Nathuram V. Godse, Narayan D. Apte and Digambar R. Badge along with Shankar Kistayya then proceeded to the house of one Dixit Maharaj at Bhuleshwar. Dixit Maharaj had gone to sleep. The 'stuff' was left in charge of his servant. They then returned to the Hindu Mahasabha Office. Narayan D. Apte, through Nathuram V. Godse, paid a sum of Rs.50/- towards travelling expenses to Digambar R. Badge. Nathuram V. Godse and Narayan I). Apte went away telling Digambar R. Badge that they would look him up the next morning.

Badge Meets Madanlal

Digambar R. Badge met Madanlal K. Pahwa at the Hindu Mahasabha Office. Madanlal K. Pahwa knew Digambar R. Badge from before, and asked him - '*Kab Aya?'*, when he had come? Digambar R. Badge asked Madanlal K. Pahwa where Vishnu R. Karkare was? Madanlal replied that Karkare was visiting Thana and was expected back shortly.

On 15 January 1948 at about 7.20 a.m. Nathuram V. Godse and Narayan D. Apte got two seats reserved in the name of 'D.N. Karmarkar' and 'S. Marathe' by the afternoon plane scheduled to leave Bombay for Delhi on 17 January 1948.

On 15 January 1948 at about 8.30 a.m. Nathuram V. Godse and Narayan D. Apte reached the Hindu Mahasabha Office and met Madanlal K. Pahwa, Shankar Kistayya and Digambar R. Badge. Madanlal K. Pahwa had not dressed up till then. Nathuram V. Godse and Narayan D. Apte along with Digambar R. Badge and Shankar Kistayya then proceeded to the Shivaji

Printing Press and met Vishnu R. Karkare there. G.M. Joshi of Thana is the proprietor of the Press. Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare and Digambar R. Badge met G.M. Joshi. Shankar Kistayya was asked to wait outside the press.

Nathuram V. Godse, Narayan D. Apte, VR. Karkare and G.M. Joshi then entered the office, Badge was asked to wait in the reception. The three of them came out of the office after half an hour. Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare and Digambar R. Badge along with Shankar Kistayya then came back to the Hindu Mahasabha Office. Vishnu R. Karkare and Digambar R. Badge asked Madanlal K. Pahwa to take his bedding and proceed with them. Narayan D. Apte brought a car, and Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare, Madanlal K. Pahwa and Digambar R. Badge, then proceeded to the house of Dixit Maharaj. Madanlal K. Pahwa's bedding was kept in the hall. Dixit Maharaj was unwell and lying on a bed. The 'stuff' that had been left in the house the previous evening, was brought to the room of Dixit Maharaj, and shown by Digambar R. Badge. After some conversation the bag containing the 'stuff' was handed over by Narayan D. Apte to Vishnu R. Karkare.

Narayan D. Apte asked Vishnu R. Karkare and Madanlal K. Pahwa to leave for Delhi that evening. Vishnu R. Karkare then handed over the bag containing the 'stuff' to Madanlal K. Pahwa. Vishnu R. Karkare and Madanlal K. Pahwa thereafter left the house of Dixit Maharaj.

Apte Asks for Revolver

Narayan D. Apte asked Dixit Maharaj if he could procure a revolver or two for him. Dixit Maharaj told him that he had no such arms with him at the time and that he would do all that he could to help them get one. Nathuram V Godse, Narayan D. Apte and Digambar R. Badge then came out of the house of Dixit Maharaj and stood in the compound of the temple. Narayan D. Apte asked Digambar R. Badge if he was prepared to go along with them to Delhi? He said - '*Tatayarao* Savarkar (Vinayak D. Savarkar) has decided that Gandhiji, Jawaharlal Nehru and Suhrawardy should be 'finished', he has entrusted the work to us'.

Digambar R. Badge agreed to accompany them for the purpose to Delhi but said that first he would like to go back to Poona to make arrangements regarding household affairs. Nathuram V. Godse thereon said that he also

had to go to Poona to meet his brother Gopal V. Godse, who had undertaken to procure a revolver, and to bring him down to Bombay to accompany them to Delhi. Nathuram V. Godse, Narayan D. Apte and Digambar R. Badge then entered the taxi and proceeded back to the Hindu Mahasdabha Office. Digambar R. Badge got down from the taxi there. Narayan D. Apte asked Digambar R. Badge to meet him at the V.T. Railway Station on the morning of 17 January 1948. Nathuram V. Godse and Narayan D. Apte then went away in the taxi.

On 16 January 1948 early in the morning Digambar R. Badge along with Shankar Kistayya came back to Poona. Digambar R. Badge then deposited the remaining 'stuff' lying with him at his house with one Ganpat S. Kharat (Amdar Kharat). Nathuram V. Godse went to see Digambar R. Badge twice at the Shastra Bhandar, but did not find him there. Digambar R. Badge thereafter went to the Hindu Rashtra Office, and met Nathuram V. Godse. Nathuram V Godse took out a small pistol, and asked Digambar R. Badge to get it exchanged for a big revolver. Digambar R. Badge had supplied a revolver to one Sharma, he exchanged the pistol for that revolver. Gopal V. Godse put in another application for seven days casual leave from 17 January 1948 to 23 January 1948 at Kirkee (Poona). The Application was granted this time.

Collection of Money

On 17 January 1948, in the morning, Digambar R. Badge along with Shankar Kistayya came back to Bombay. Shankar Kistayya got down at Dadar and Digambar R. Badge got down at the V.T. Railway Station. Nathuram V. Godse and Narayan D. Apte met him there. Narayan D. Apte suggested to Digambar R. Badge that before proceeding to Delhi they should collect some money. Narayan D. Apte then engaged a taxi and proceeded therein along with Nathuram V. Godse and Digambar R. Badge to different places in Bombay. They succeeded in collecting money, on different pretexts, from Charandas Meghji, Ganpatrao B. Afzulpurkar and Mahadeo G. Kale.

During one of these visits from place to place, Shankar Kistayya was picked up from the Hindu Mahasabha Office. Nathuram V. Godse then suggested that they should all go and take a last darshan of *Tatayarao* Savarakar. Thus they proceeded to the Savarkar Sadan. Shankar Kistayya

was asked to wait outside. Nathuram V. Godse, Narayan D. Apte and Digambar R. Badge entered the compound. Narayan D. Apte asked Digambar R. Badge to wait in the room on the ground floor. Nathuram V. Godse and Narayan D. Apte went up to the first floor, they came down after 5-10 minutes. They were followed by *Tatayrao* Savarkar. *Tatyarao* Savarkar blessed them '*Yashasvi houn ya'* (be successful and return). Nathuram V .Godse, Narayan D. Apte and Digambar R. Badge along with Shankar Kistayya then got into the taxi. On the way Narayan Apte said - '*Tatyaravani ase bhavishya kele aahe, ki Gandhijinchi shambhar varshe bharali - ata apale kam nishchit yashasvi honar yaat kahi sanshay nahi' (Tatyarao* has predicted that Gandhiji's hundred years are over - there is no doubt that our work will now be successfully completed.).

Nathuram V. Godse asked that he should be left at a taxi stand; he was thus dropped off at a taxi stand. Narayan D. Apte along with Digambar R. Badge and Shankar Kistayya proceeded to the house of Dixit Maharaj. Shankar Kistayya was left in the hall, while Narayan D. Apte and Digambar R. Badge went into the interior of the house. Narayan D. Apte again asked Dixit Maharaj for a revolver. Dixit Maharaj showed him a small pistol but said that he would not hand it over unless he received money for it. Narayan D. Apte and Digambar R. Badge along with Shankar Kistayya then picked up Nathuram V. Godse and proceeded to the Juhu Aerodrome and then to Santa Cruz Aerodrome. Narayan D. Apte got down there, and handed over a sum of Rs.250/- to Digambar R. Badge and asked him to leave along with Shankar Kistayya for Delhi that day by the evening train. Digambar R. Badge along with Shankar Kistayya then proceeded to Kurla and discharged the taxi there.

Karkare and Madanlal in Delhi

On 17 January 1948 at about noon Vishnu R. Karkare and Madanlal K. Pahwa reached Delhi. They proceeded to the Hindu Mahasabha Bhavan but could not find accommodation there. They then proceeded to the Sharif Hotel and stayed there. Vishnu R. Karkare stayed under the assumed name of 'B.M. Bias'. Nathuram V. Godse and Narayan D. Apte boarded the afternoon plane at the Santa Cruz Aerodrome and reached Delhi the same evening. They had travelled under the assumed names of 'D. N. Karmarkar'

and 'S. Marathe'. They proceeded to the Marina Hotel, and stayed there under the assumed names 'S. Deshpande' and 'N. Deshpande'.

On 19 January 1948, Gopal V Godse came to the Sharif Hotel and spent some hours there with Vishnu R. Karkare and Madanlal K. Pahwa. Vishnu R. Karkare and Madanlal K. Pahwa thereafter left the Sharif Hotel.

Digambar R. Badge along with Shankar Kistayya left Bombay by the Punjab Mail on 18 January 1948, and reached Delhi in the evening of 19 January 1948. They proceeded to the Hindu Mahasabha Bhavan and obtained accommodation there. They met Madanlal K. Pahwa and Gopal V. Godse there. Nathuram V. Godse, Narayan D. Apte and Vishnu R. Karkare came soon thereafter to the Hindu Mahasabha Bhavan, and asked Digambar R. Badge and Shankar Kistayya to sleep in the hall. Madanlal K. Pahwa, Gopal V. Godse and Digambar R. Badge along with Shankar Kistayya then slept for the night in the hall.

Measurements Taken

On 20 January 1948, at about 8.30 am, Narayan D. Apte and Vishnu R. Karkare went to the Hindu Mahasabha Bhavan. Narayan D. Apte then took Digambar R. Badge along with Shankar Kistayya to Birla House and showed them the prayer platform where Mahatma Gandhi sat during the prayer meetings. He took measurements of the openings in the trellis-work grill of the window there. He told them that through that opening a revolver could be fired and also a hand grenade could be thrown from the room behind. He then showed them two places on either side of the back gate where a gun cotton slab would be exploded to divert the attention of the people collected at the prayer ground. He also pointed out to them the room behind the trellis-work ventilator and said that it was possible to enter that room posing as a photographer. They then came back to the Hindu Mahasabha Bhavan.

Narayan D. Apte asked Gopal V. Godse and Digambar R. Badge to fetch the revolvers they had brought with them and proceed to the jungle behind the Hindu Mahasabha Bhavan to test them. Narayan D. Apte, Gopal V. Godse and Digambar R. Badge along with Shankar Kistayya then proceeded to the jungle behind the Hindu Mahasabha Bhavan. The two revolvers were tested there. They then all came back to the Hindu Mahasabha Bhavan, and found Vishnu R. Karkare and Madanlal K. Pahwa

present there. Narayan D. Apte asked Vishnu R. Karkare to go with Madanlal K. Pahwa to the Marina Hotel. Narayan D. Apte then told Gopal V. Godse that they should also proceed to the Marina Hotel with the 'stuff'. All of them proceeded to the Marina Hotel. They gathered in Room No 40 of Marina Hotel, the room occupied by Nathuram V. Godse and Narayan D. Apte.

Gopal V. Godse began repairing his revolver in the room. Narayan D. Apte, Vishnu R. Karkare, Madanlal K. Pahwa and Digambar R. Badge then began fixing primers to the gun-cotton slabs and detonators in the hand grenades in the bathroom. Nathuram V.Godse and Shankar Kistayya were also present in the bathroom. Nathuram V. Godse said 'Badge, this is our last effort - the work must be accomplished - see to it that everything is arranged properly'. They then all came back to the room. Gopal V. Godse meanwhile had repaired his revolver.

Work Divided

It was then decided amongst them as to who was to carry which weapons. Duties were also assigned to them. Vishnu R. Karkare, Madanlal K. Pahwa, Shankar Kistayya, Gopal V. Godse and DigambarR. Badge were to carry one hand grenade each. Shankar Kistayya and Digambar R. Badge were also to carry one revolver each. Madanlal K. Pahwa was to carry one gun cotton slab. Madanlal K. Pahwa was to explode the gun cotton slab near the rear compound wall of the Birla House on a signal given by Narayan D. Apte. Digambar R. Badge was to shoot at Gandhiji, with the revolver and to throw a grenade through the trellis-work grill, on a signal being given by Nathuram V. Godse. The others were to mix themselves up in the prayer ground. The 'Stuff' there after was distributed amongst them accordingly.

Vishnu R. Karkare and Madanlal K. Pahwa first left the Marina Hotel for the Birla House. Narayan D. Apte, Gopal V. Godse and Digambar R. Badge along with Shankar Kistayya then left the Marina Hotel for the Birla House. Nathuram V. Godse said that he would follow them a little later. While getting out of the Marina Hotel, Digambar R. Badge told Shankar Kistayya that he was to throw a hand grenade on the person on whom he threw a hand grenade; that he was to shoot at the person at whom he shot, that the person concerned was an old man known as 'Gandhiji' and that he was to be finished off.

Narayan D. Apte engaged a taxi, and with Digambar R. Badge, Shankar Kistayya and Gopal V Godse proceeded therein first to the Hindu Mahasabha Bhavan and then to the back of the Birla House. Gopal V. Godse left his bag in the cupboard of the hall of the Hindu Mahasabha Bhavan. They in due course met Madanlal K. Pahwa, Vishnu R. Karkare and Nathuram V. Godse at the back of Birla House. Narayan D. Apte asked Madanlal K. Pahwa *'tayyar hai kya?'* Madanlal K. Pahwa said that he was ready, that he had placed the gun cotton slab and that it remained only to be ignited.

Digambar R. Badge was asked to enter the room behind the trellis- work ventilator. He, however, got frightened as he thought that, if he went into the room and something happened he would get trapped in that room. Nathuram V. Godse and Narayan D. Apte pressed Digambar R. Badge to enter the room but he refused to do so. He told them that rather than strike from inside the room he would prefer to strike from the front. Digambar R. Badge then along with Shankar Kistayya proceeded to the taxi and left the two revolvers wrapped in a towel therein. He also handed over his own hand grenade to Shankar Kistayya. Digambar R. Badge and Shankar Kistayya then went back to where Nathuram V Godse and others were standing.

Narayan D. Apte asked Digambar R. Badge if he was ready. He told him that he was ready and started proceeding towards the prayer ground along with Shankar Kistayya. Narayan D. Apte then placed his hand on Madanlal K. Pahwa's back and said *'Chalo'*, lets go. Vishnu R. Karkare also followed Digambar R. Badge and Shankar Kistayya towards the prayer ground.

Gun Cotton Slab Explodes

Soon thereafter, Nathuram V. Godse and Narayan D. Apte along with Gopal V. Godse proceeded to the taxi. They asked the taxi driver to start the taxi and went away therein. Madanlal K. Pahwa meanwhile had exploded the gun cotton slab that he had placed on the rear compound wall. A number of persons rushed towards the scene of the explosion, and caught hold of Madanlal K. Pahwa. Digambar R. Badge along with Shankar Kistayya on finding an opportunity left the prayer ground, and came back to the Hindu Mahasabha Bhavan. Digambar R. Badge asked Shankar Kistayya to throw away the two hand grenades behind the Hindu Mahasabha Bhavan. He also

asked him to throw away the contents of the bag that Gopal V. Godse had left in the cupboard. Shankar Kistaiyya did as ordered by his master. Nathuram V. Godse and Narayan D. Apte meanwhile came to the Hindu Mahasabha Bhavan. Digambar R. Badge abused them. They then went away.

Digambar R. Badge along with Shankar Kistayya then left Delhi for Mumbai and on to Poona that same evening, Nathuram V. Godse and Narayan D. Apte also left Delhi for Bombay *via* Kanpur the same evening. Vishnu R. Karkare and Gopal V. Godse stayed for the night in the Frontier Hindu Hotel, and left Delhi the next day.

On 23 January 1948, Narayan D. Apte with a friend came to the Arya Pathik Ashram, Bombay and stayed there. They were allotted two beds in a general room containing eight beds. There were no two bed rooms available at the time. Narayan D. Apte stayed under the assumed name of 'D. Narayan'. Nathuram V. Godse and Narayan D. Apte got a two bed room in the Elphinstone Annexe Hotel from 24 January 1948. Nathuram V. Godse stayed there under the assumed name of 'N. Vinayakrav'. Narayan D. Apte meanwhile had managed to get a two bed room in the Arya Pathik Ashram, and spent the night between 24th and 25th January, with a lady there. He, then, shifted to the Elphinstone Annexe Hotel. Nathuram V Godse and Narayan D. Apte then stayed in the Elphinstone Annexe Hotel till 27 January 1948.

Seats in Plane Reserved

On 25 January 1948, in the morning Nathuram V Godse and Narayan D. Apte went to the Air-India Office and got two seats reserved in the names of 'D. Narayanrav' and 'N. Vinayakrav' by the plane scheduled to leave Bombay for Delhi on the morning of 27 January 1948. Nathuram V. Godse, Narayan D. Apte, Vishnu R. Karkare and Gopal V. Godse then met together at the house of G.M. Joshi of Shivaji Printing Press at Thana, and had a talk amongst themselves.

On 26 January 1948, in the morning, Nathuram V. Godse and Narayan D. Apte met Dada Maharaj and Dixit Maharaj. They asked them to help them get a revolver. That evening Nathuram V. Godse again met Dixit Maharaj, and asked him if he had arranged a revolver for him. Dixit Maharaj replied that he had not.

On 27 January 1948, Nathuram V. Godse and Narayan D. Apte left Bombay for Delhi by the morning plane. They travelled under theassumed names of 'D. Narayanrav' and 'N. Vinayakrav'. Nathuram V. Godse and Narayan D. Apte then left Delhi the same afternoon by train and reached Gwalior at about 10.30 pm. They proceeded to the house of Dr. Dattatreya S. Parchure, and stayed there for the night.

On 28th January 1948, Nathuram V. Godse and Narayan D. Apte obtained an automatic pistol with the help of Dattatreya S. Parchure from one Jagdish Prasad Goyal. They then left Gwalior by train for Delhi.

On 29 January 1948, Nathuram V. Godse engaged a retiring room at the Delhi Main Railway Station under the assumed name of 'N. Vinayakrav'. Narayan D. Apte and Vishnu R. Karkare were with Nathuram V. Godse at the Delhi Main Railway Station on 29th and 30 January 1948.

On 30 January 1948, at about 5.00 p.m. Mahatma Gandhi, as usual proceeded to the prayer platform. He was accompanied by a number of persons. A large crowd was awaiting his arrival at the prayer platform. Mahatma Gandhi climbed up the stairs to the prayer platform. When he had gone six to seven paces, the crowd opened up into a lane to allow him to pass through. Nathuram V. Godse came out of the crowd into the gap in front of Mahatma Gandhi, and fired three shots at point blank range, in quick succession, at him with the automatic pistol brought from Gwalior. He was caught hold of then and there. Mahatma Gandhi succumbed to the injuries sustained by him soon after.

After reading out the prosecution's case against the accused and the report of the investigation, Daftary drew the attention of the Court towards some of the documents and letters submitted in the Court as evidence. He drew the attention of the Judge towards the articles appearing in the *Agrani* during the period from April 1947 till January 1948. After reading out the articles he pointed out to the court how the articles illustrated the opposition of the accused to the policies of Gandhiji.

Daftary's statement lasted for two hours and ten minutes. He spoke in a soft voice but his delivery was firm and emphasised the important issues in a loud and clear manner. He suggested that the Court should inspect the scene of the crime, Birla House on 24th June at 10.00 a.m. The Court accepted the suggestion and agreed to inspect Birla House. The Court inquired of the accused if they would wish to inspect Birla House. Nathuram declined, and said that he was not particularly inclined to visit

Birla House. Apte, Karkare, Gopal Godse and Madanlal and their counsels expressed their desire to accompany the Court. Daftary raised an objection to taking the accused along and requested the Court to grant the accused and their counsels permission to visit Birla House at a later date, he also offered to provide the layout plans of Birla House to the Defence team. The Court overruled Daftary's objections and ordered the Police to make stringent security arrangements for the scheduled visit of the Court and the accused. The Court forbade the presence of spectators and the press during the inspection visit to Birla House.

The Defence's Version

Nathuram V. Godse has filed a long written statement. In his statement he says:

On 14 January 1948 he along with Narayan D. Apte came from Poona to Bombay. On 17th January 1948, he along with Narayan D. Apte and Digambar R. Badge visited various places in a taxi to collect money and collected money. He and Narayan D. Apte travelled by air from Bombay to Delhi under the assumed names of 'D. N. Karmarkar' and 'S. Marathe'. They stayed at the Marina Hotel at Delhi from 17th January, 1948 to 20th January, 1948. On 20 January 1948 in the morning he had a headache. Digambar R. Badge came to the hotel. Narayan D. Apte and Digambar R. Badge had a talk between themselves about their going to the Birla House. He and Narayan D. Apte then left Delhi for Kanpur that night by the Express. They stayed in the Kanpur Central Railway Station's Retiring Room. They then left Kanpur for Bombay. They stayed in the Elphinstonee Annexe Hotel, Bombay, from 24th January 1948 till 27 January 1948. They then reserved two seats on 25 January 1948 by the plane scheduled to leave Bombay for Delhi in the morning of 27 January 1948, under the assumed names of 'D. Narayanrav' and 'N. Vinayakrav'. They travelled under those assumed names by the plane from Bombay to Delhi on 27 January 1948. They were at Gwalior on 28 January 1948, and met Dattatreya S. Parchure. On 29 January 1948, he stayed at the Delhi Main Railway Station Retiring Room under the assumed name of 'N. Vinayakrav'. On 30 January 1948, he did shoot Mahatma Gandhi dead with a pistol in the prayer ground of the Birla House.

Nathuram's Case

The case of Nathuram V. Godse appears to be that there was no 'conspiracy' between him and other accused to committee the murder of Mahatma Gandhi, what he did was his own individual action. His motive for having committed the murder, as given in his written statement, was the partition of the country into the 'Dominion of Pakistan' and the 'Dominion of India' for which he had held Mahatma Gandhi to blame and the fast that Mahatma Gandhi had started on 13 January 1948, which according to him had been started by Mahatma Gandhi to coerce the Government of India to pay the sum of Rs.55 crores to the government of Pakistan.

Apte's Plea

Narayan D. Apte has also filed a written statement, in his statement he says:

He has for a long time known Digambar R. Badge, who used to supply him with arms, ammunition and explosives. On 14 January 1948, he along with Nathuram Godse came from Poona to Bombay. They met Digambar R. Badge at the Hindu Mahasabha Office in Dadar on 15 January 1948. Digambar R. Badge asked them why they had come to Bombay. They told him that they intended to stage a demonstration at Delhi. He thereon asked them if he could also accompany them to Delhi. They told him that they had no objection to his accompanying them to Delhi. He told them that he would meet them on 17 January 1948. On 15 January 1948, he obtained two air tickets from Bombay to Delhi from a certain individual whom he had met at the Air India Office. The tickets were in the names of 'D.N. Karmarkar' and 'S. Marathe', and were for the plane scheduled to leave Bombay for Delhi on the afternoon of 17 January 1948. On 17 January 1948, He and Nathuram V. Godse met Digambar R. Badge at the V.T. Railway Station. They then visited various places in a taxi to collect money and collected some money. They then travelled by air from Bombay to Delhi under the assumed names 'D.N. Karmarkar' and 'S. Marathe'. They stayed at the Marina Hotel in Delhi from 17 January 1948 till 20 January 1948, under the assumed names of 'M. Deshpande' and 'S. Deshpande'.

On 20 January 1948, Digambar R. Badge came to see him and Nathuram V. Godse. He asked Digambar R. Badge to proceed to Birla House that evening and meet him there so that it might be found out if it was possible

to stage a demonstration there that evening. He left for Birla House at about 4.30 p.m. Digambar R. Badge and Shankar Kistayya met him as he came out of the Marina Hotel. He took them along with him in a private car to Birla House. They got down from the car at the back of Birla House. They then proceeded to the prayer ground. When the prayers began, it was found out that the loud speakers have failed. He accordingly thought that it was not a fit occasion to stage a demonstration.

He and Shankar Kistayya then came back to the Marina Hotel and Digambar R. Badge stayed on at Birla House. Digambar R. Badge came to the Marina Hotel about half an hour later, and saw him. Digambar R. Badge told him that a refugee of the name Madanlal K. Pahwa had been caught hold of at Birla House in connection with an explosion that had taken place there. Digambar R. Badge further told him that he had sold some 'stuff' Madanlal K. Pahwa. He had informed Nathuram V. Godse, what he had learnt from Digambar R. Badge. They thereon decided to leave Delhi forthwith. They then left Delhi for Kanpur that night by the Express. They stayed for a day in the Kanpur Central Railway Station's Retiring Room. On reaching Bombay they stayed at the Arya Pathik Ashram, Bombay from 23 January 1948 till 24 January 1948. He had registered his name as 'D. Narayan'. They shifted to the Elphinstonee Annexe Hotel, and stayed there from 24 January 1948 till 27 January 1948. On 25 January 1948, they reserved two seats by the plane scheduled to leave Bombay for Delhi on the afternoon of 27 January 1948. They had reserved the seats under the assumed names of 'D. Narayanrav' and 'N. Vinayakrav'. On 27 January 1948, they travelled by air from Bombay to Delhi under those assumed names. On 28 January 1948 they were at Gwalior, and met Dattatreya S. Parchure. He then left for Bombay, and Nathuram V. Godse for Delhi.

Gandhiji's Fast

The case of Narayan D. Apte appears to be that he along with Nathuram V. Godse had come to Delhi on 17 January 1948, with the intention of staging a demonstration against the fast that Mahatma Gandhi had started on 13 January 1948, with a view to coercing the Government of India to give the sum of Rs.55 crores to the government of Pakistan. He along with Nathuram V. Godse was at Gwalior on 28 January 1948, with the view of obtaining some volunteers for that purpose from Dattatreya S. Parchure. His

case further appears to be that on 30 January 1948, he was in Bombay and not at Delhi.

Karkare's Case

Vishnu R. Karkare had also filed a written statement, he says:

He along with Madanlal K. Pahwa left Bombay for Delhi by the night train on 15 January 1948, and reached Delhi at about mid-day on 17 January 1948. They stayed at the Sharif Hotel from 17 January 1948 till 19 January 1948. He had stayed under the assumed name of 'B.M. Bias',

The case of Vishnu R. Karkare appears to be that it was at the request of Madanlal K. Pahwa that he had come from Bombay to Delhi. Madanlal K. Pahwa had told him that his marriage was being arranged at Delhi and that it was also being contemplated by some refugees to take a deputation to Mahatma Gandhi at Delhi. His case further appears to be that on 30 January 1948, he was at Bombay and not at Delhi.

Madanlal's Stand

Madanlal K. Pahwa has also filed a written statement, he says:

He had come in contact with Dr. J.C. Jain in October 1947. He used to sell his books on commission basis. He heard on radio on 12 January 1948, that Mahatma Gandhi was to start a fast to rehabilitate the Muslims of Delhi and to get the sum of Rs. 55 crores paid by the Government of India to the government of Pakistan, and felt annoyed. He was approached by certain refugees, who told him that they wanted to stage a demonstration before Mahatma Gandhi at Delhi against his fast.

He told Vishnu R. Karkare that he intended to lead a deputation to Mahatma Gandhi, and asked Karkare to accompany him to Delhi. He also asked Vishnu R. Karkare to accompany him to Delhi in connection with the arrangements of his marriage. He and Vishnu R. Karkare left Bombay for Delhi on 15 January 1948, and reached Delhi at about mid-day on 17 January 1948. They stayed at the Sharif Hindu Hotel at Delhi from 17 January 1948, till 19 January 1948. On 18th January, he came to know that Mahatma Gandhi had broken his fast after obtaining a promise that all his conditions would be fulfilled. On 20 January 1948 he met Digambar R. Badge in the refugee camp. Digambar R. Badge told him that he had come

to Delhi for the sale of arms, ammunition and explosives to the refugees and took him to the barracks where he was putting up. Digambar R. Badge had a large quantity of arms, ammunition and explosives, and handed over to him a gun cotton slab and a hand grenade as samples. Digambar R. Badge told him that he and his co-workers were also thinking of staging a demonstration before Mahatma Gandhi in a day or two and that some of his co-workers were putting up in the Marina Hotel.

It then struck him that it would be better to explode the gun cotton slab at a safe distance from Mahatma Gandhi, court arrest and tell Mahatma Gandhi thereafter about the grievances of the refugees. He asked Vishnu R. Karkare to accompany him to Birla House. Vishnu R. Karkare looked frightened, and told him that he would reach there a little later. He then proceeded armed with the gun cotton slab and the hand grenade to the Birla House, and exploded the gun cotton slab there.

The case of Madanlal K. Pahwa appears to be that he had come to Delhi with a 'view to take a deputation before Mahatma Gandhi and also with a view to making arrangements for his marriage. He came across Digambar R. Badge in the refugee camp. Digambar R. Badge handed over to him a gun cotton slab and a hand grenade as samples. He exploded the gun cotton slab at a safe distance from where Mahatma Gandhi was sitting with a view to court arrest and tell Mahatma Gandhi thereafter as to what were the grievances of the refugees.

Shankar's Case

Shankar Kistayya in his statement states as below:

He is a servant of Digambar R. Badge. Narayan D. Apte and Vishnu R. Karkare, now and then, used to visit the Shastra Bhandar. On 14 January 1948, he and Digambar R. Badge came from Poona to Bombay. They had two gun cotton slabs and five hand grenades with them, they proceeded to the Hindu Mahasabha Office at Dadar. Nathuram V. Godse and Narayan D. Apte came there and took away Digambar R. Badge with them. They then came back, and proceeded along with him to the house of Dixit Maharaj. The 'stuff' brought by them was left with a servant there. He and Digambar R. Badge then were left at the Hindu Mahasabha Office, and met Madanlal K. Pahwa there.

On 15 January 1948, they met Vishnu R. Karkare. They then left Bombay for Poona on the night of 15 January 1948. Nathuram V. Godse came to see Digambar R. Badge twice in Poona on 16 January 1948. He and Digambar R. Badge came back to Bombay on 17 January 1948. Nathuram V. Godse, Narayan D. Apte and Digambar R. Badge then took him in a car from place to place. He and Digambar R. Badge left Bombay for Delhi by the Punjab Mail on 18 January 1948. They reached Delhi on the night of 19th January 1948 and proceeded to the Hindu Mahasabha Bhavan, New Delhi. They met Madanlal K. Pahwa and Gopal V. Godse there, Nathuram V. Godse, Narayan D. Apte and Vishnu R. Karkare also came there for some time a little later.

On 20 January 1948, in the morning, Narayan D. Apte took him and Digambar R. Badge to Birla House. They then went to the back of Birla House and then to the prayer platform. Narayan D. Apte took various measurements and pointed out a number of places. There was some talk between Narayan D. Apte and Digambar R. Badge. They then came back to the Hindu Mahasabha Bhavan. Narayan D. Apte then took him along with Digambar R. Badge and Gopal V. Godse to the back of the Hindu Mahasabha Bhavan. He carried the revolver of Digambar R. Badge. Gopal V. Godse carried his own revolver. Narayan D. Apte then said that the two revolvers be tried out. The revolver of Gopal V. Godse did not work. He fired a shot and the shot did not go very far. They then came back to the Hindu Mahasabha Bhavan. Narayan D. Apte then asked him along with Vishnu R. Karkare, Madanlal K. Pahwa, Gopal V. Godse and Digambar R. Badge to proceed to the Marina Hotel.

Gopal V. Godse began repairing his revolver in the room of Nathuram V. Godse. Narayan D. Apte, Vishnu R. Karkare, Madanlal K. Pahwa and Digambar R. Badge entered an inner room and began cutting some wire and fixing it to something. There was then a distribution of arms and ammunition. Digambar R. Badge handed him over a 'pistol' and a 'bomb' and asked him to keep them. He along with Narayan D. Apte, Gopal V. Godse, Digambar R. Badge then went in a car to Hindu Mahasabha Bhavan and from there to the back of the Birla House. They met Madanlal K. Pahwa, Vishnu R. Karkare and Nathuram V. Godse there.

There was some talk between Digambar R. Badge and those persons. After some time Digambar R. Badge asked him for his 'pistol' and left the two pistols wrapped up in a towel in the car. Digambar R. Badge handed

over his 'bomb' to him and asked him to keep the two 'bombs' with him. He and Digambar R. Badge then proceeded to the prayer ground. Some time later there was a loud sound and some smoke. He then saw Madanlal K. Pahwa being led in custody.

He and Digambar R. Badge then left Birla House in a tonga for the Hindu Mahasabha Bhavan. Digambar R. Badge asked him there to throw away the two 'bombs' behind the Hindu Mahasabha Bhavan. Digambar R. Badge also asked him to throw away the contents of the bag lying in the cupboard. He complied with his instructions. He and Digambar R. Badge then left Delhi for Poona.

The case of Shankar Kistayya appears to be that what he did, he did in obedience to the orders of his master Digambar R. Badge. He knew nothing about the 'conspiracy' and had not been told anything about it by anyone including Digambar R. Badge.

The arguments on behalf of Shankar Kistayya ended on 14 December 1948. On 29 December 1948, Shankar Kistayya filed an application retracting his statement made before the court on 19 November 1948. He in his application writes to say that he had made the statement under the influence of the Police. Shankar Kistayya himself conducted part of the cross examination of Digambar R. Badge. He was allowed to do so as his counsel had not been appointed by him but had been appointed at the expense of the Crown by the Court.

The cross-examination as conducted by him fits in with the version of his story as stated by him in his statement before the Court. Neither the cross examination conducted by him nor his version of the story as stated by him in his statement goes to show that he wants to implicate himself in any way whatsoever in regard to the charge of 'conspiracy'. The exculpatory statement made by him accordingly would have been of no advantage as against the other accused to the Police. There thus appears to be no reason to suppose that the statement was made by him under pressure from the police. It appears to me not unlikely that the statement was retracted by him at the instance of the other accused or some of them.

Gopal V. Godse's Case

Gopal V. Godse has also filed a written statement, and in his statement denies the allegations of the prosecution in toto. His case appears to be that

he was at Uksan (Poona) from 17 January 1948 till 25 January 1948, and that thereafter, he attended to his work in the Motor Transport Spares Sub-Depot at Karkee (Poona). He admits that he is the brother of Nathuram V. Godse.

Savarkar's Case

Vinayak D. Savarkar has also filed a written statement and in his statement denies the allegations of the prosecution in *toto*.... His case appears to be that he had no control whatsoever over Nathuram V. Godse and Narayan D. Apte.

Parchure's Case

Dattatreya S. Parchure has also filed a written statement and in his statement states as bellow:

On 28 January 1948, Nathuram V. Godse and Narayan D. Apte came to him and asked him for volunteers for the purpose of staging a demonstration at Delhi. He flatly refused to send volunteers for any such purpose.

The contention of Dattatreya S. Parchure appears to be that he is a subject of the Gwalior State and that as such, he is not amenable to the jurisdiction of the Court.

It is thus the common case of the parties that the motive for what took place at Delhi on 20 January 1948 and 30 January 1948 was apolitical one and had originated after the partition of the country into the 'Dominion of Pakistan' and the 'Dominion of India'. The accused or at least some of them strongly felt that had it not been for Mahatma Gandhi the country would have never been divided into the two dominions. Mahatma Gandhi again was held responsible for what had taken place to the minority community in the 'Dominion of Pakistan'. The feelings of the accused or at least some of them subsequently got all the more intensified against Mahatma Gandhi when he started the fast on 13 January 1948.

The main difference that exists between the two versions of the story is that according to the prosecution because of this very motive the accused entered into a 'conspiracy' to commit the murder of Mahatma Gandhi and that according to the defence because of this very motive the accused

entered into an 'agreement' just to stage a peaceful demonstration before Mahatma Gandhi. The material point accordingly that arises for consideration before the court is whether the 'agreement' was to commit the murder of Mahatma Gandhi or just to stage a demonstration before Mahatma Gandhi.

General Law Points Raised

The case was tried under the provisions of the Bombay Public Security Measures Act as extended to the Province of Delhi.

Section 13 of the Act runs as below:

1) A Special Judge may take cognisance of offences without the accused being committed to his Court for trial.
2) A Special Judge shall ordinarily record a memorandum only of the substance of the evidence of each witness examined, may refuse to summon any witness if satisfied after examination of the accused that the evidence of such witness will not be material and shall not be bound to adjourn any trial for any purpose unless such adjournment if, in his opinion, necessary in the interest of justice.

2-A) A special Judge trying an offence under this Act may, with a view to obtaining the evidence of any person supposed to have been directly or indirectly concerned in, or privy to, the offence, tender a pardon to such person on condition of his making a full and true disclosure of the whole circumstances within his knowledge relative to the offence and to every other person concerned, whether as principal or abettor, in the commission thereof. Any pardon so tendered shall, for the purposes of Section 339 and 339-A of the Code, be deemed to have been tendered under Section 338 of the Code.

3) In matters not coming within the scope of subsections (1) and (2), the provisions of the Code, in so far as they are not inconsistent with the provisions of Section 10 and 20, shall apply to the proceedings of a Special Judge; and for the purposes of the said provisions, the Court of the Special Judge shall be deemed to be a Court of Session.

Court's Jurisdiction

The Special Court accordingly has to proceed with the trial of a case as if it were a Court of Session but could take cognisance of offences without the accused being committed for trial to the Court. The Police submitted the Charge Sheet in the case direct to the Court under Section 13(1) of the Act. The question then that arose before the Court was whether it was to proceed with the trial of the case in accordance with the procedure as laid down for the trial of a warrant case or in accordance with the procedure as laid down for the trial of a session case. Section 13 (3) of the Act clearly lays down that in matters not coming within the scope of sub-sections (1) and (2), the provisions of the code, in so far as they are not inconsistent with the provisions of Section 10 to 20, shall apply to the proceedings of a Special Judge; and for the purposes of the said provisions, the Court of the Special Judge shall be deemed to be a Court of Session.

There was thus no option but to have proceeded with the trial of the case in accordance with the provisions as laid down for the trial of a Session Case. The Court in view of the specific provisions as laid down under Section 13(3) of the Act could not have proceeded with the trial of the case in accordance with the provisions as laid down for the trial of a Warrant Case. The Case is more or less based on Ordinance II of 1942. Had the intention of the Legislature been that the Special Court should proceed with the trial of a case in accordance with the provisions as laid down for the trial of a Warrant Case, then it would have specifically laid down so as it did in the case of trials held before the Court of a Special Judge under Ordinance II of 1942. Further, the trial of the Case, as a Warrant Case would have meant also powers to 'discharge' an accused before framing of the charges, which the Court certainly in no way possessed.

Defences' Contention

The charge in the case was framed by the Court on the basis of what was contained in the chargesheet, as submitted by the Police. It has been contended on behalf of the defence that the charge should have been framed only on the basis of the judicial evidence on the record of the case and not on the basis of what was contained in the chargesheet as submitted by the Police. This, however, could not have been done as the trial of the case for the reasons given could not have been proceeded with in accordance with the provisions as laid down for a trial in a Warrant Case. According to the

Prosecution as well as the Defence in the Province of Bombay the trial of all such cases is always held in accordance with the provisions as laid down for the trial of a Sessions Case and not in accordance with the provisions as laid down for a trial of a Warrant Case and the charge is always framed on the basis of what is contained in the chargesheet submitted by the Police. No ruling is forthcoming to show that the procedure as adopted by the Trial Court in the Province of Bombay has ever been criticized by the Bombay High Court. The case accordingly has been tried strictly in accordance with the provisions laid down under Section 13(3) of the Act.

Conspiracy Charge

Now I take up the second law point raised on behalf of the defence. The accused in the case stand charged with having entered into a 'conspiracy' at different places including Delhi, some of them with having committed various offences in pursuance thereof at Delhi and one of them with having committed the murder in pursuance thereof at Delhi. The contention on behalf of the defence is that the offence of 'conspiracy' after the various offences committed in pursuance thereof merged into the offences of 'abetment by conspiracy' and that the offence of 'conspiracy' and the offences of 'abetment' by the 'conspiracy' could not have been tried together.

They in support of their contention mainly rely on I.L.R. 25 Madras 61. This is 1901 Privy Council ruling and lay down that the various offences of 'abetment by conspiracy' could not be tried together. The prosecution, on the other hand, have drawn my attention to 39 Cr. L.J.452. This is 1938 Privy Council ruling, and lays down that 'whatever scope of connotation may be included in the words, the same transaction, if several persons conspire to commit offences, and commit overt acts in pursuance of the conspiracy these acts are committed in the course of the same transaction, which embraces the conspiracy and the acts done under it'.

The facts of the case were that 'certain persons entered into a conspiracy at Calcutta, Howrah and 24 Paraganas to commit theft of electrical energy - some of them in pursuance thereof abetted the offence of theft and some of them in pursuance thereof committed the theft'. The Privy Council held that the offence of conspiracy to commit the theft, the various offences of abetment of theft and the offence of theft were 'committed' in the course of the same 'transaction' and could be tried together under the provisions of

Section 239 (d) of the Cr.P.C. The facts of the present case as alleged on behalf of the prosecution are similar. The accused are said to have entered into a 'conspiracy' at Delhi, Bombay, Poona and other places to commit the murder of Mahatma Gandhi. Some of the accused in pursuance thereof are said to have committed various offences of 'abetment by conspiracy', at Delhi. One of the accused in pursuance thereof is said to have committed the offence of murder at Delhi.

The offence of conspiracy in the present case is said to have spread between the period 1 December 1947 and 30 January 1948. Different individuals are said to have joined the conspiracy on different dates and at different places. The material question accordingly that arises for consideration is whether the conspiracy was completed the moment the first individual conveyed his intention to some individual or individuals or continued till recruitment of the last individual to the conspiracy was made.

It does not appear necessary that all the individuals to a conspiracy must conspire at one and the same time and at one and the same place. 39 Cr. L.J. 452 shows that the conspirators in that case had conspired in different districts and at different times. 16 Cr. L.J. 497 also shows likewise. 47 Cr. L. J. 460 (2) likewise lays down that '. .difficulty sometimes arises by confusing overt acts committed in pursuance of a conspiracy with the conspiracy itself. When at some intermediate stage of a conspiracy a recruit is introduced and agrees to participate in a crime which is already in the process of being planned, can it be said that the divulging of the plan to him or the invitation to him to join constitutes an overt act by the original conspirator; or that the *merte* agreement by the recruit to participate constitutes an overt act by him? If the contention be accepted that a conspiracy is necessarily complete or concluded immediately 'A' and 'B' agree to the commission of an offence, then the subsequent agreement by 'C' to participate, irrespective of how soon his agreement follows, would not logically constitute 'C' a conspirator in the same conspiracy. It seems to me there are grounds for saying that in certain circumstances, a conspiracy might be a continuing offence. Each case must be dependent on its own facts.' It thus appears to me that a conspiracy in certain case may be a continuing offence.

Section 182 of the Cr.P.C. lays down that 'where an offence is a continuing one and continues to be committed in more local areas than one

it may be inquired into or tried by a court having a jurisdiction over any such local areas'.

The accused in the present case are said to have entered into a 'conspiracy' at Delhi, Bombay, Poona and other places to commit the murder of Mahatma Gandhi. Some of them, in pursuance thereof, are said to have committed various offences of abetment by conspiracy at Delhi, and one of them in pursuance thereof is said to have committed the offence of murder at Delhi. 39 Cr. L.J. 452 further lays down the principle that the question of joinder of charges and parties is to be considered from the accusations and not from that of the eventual results, if otherwise. There is accordingly no reason to suppose that the trial has been bad for misjoinder of charges as well as parties.

It has been contended on behalf of the Dattatreya S. Parchure that he is a subject of the Gwalior Government and that, as such, he is not amenable to the jurisdiction of the Court.

The allegations of the prosecution are that Dattatreya S. Parchure is a British subject domiciled in 'India', that at the instance of Nathuram V. Godse and Narayan D. Apte he got a pistol procured for the murder of Mahatma Gandhi on 28 January 1948 at Gwalior and that the murder of Mahatma Gandhi was committed therewith by Nathuram V. Godse on 30 January 1948 at Delhi.

The prosecution has filed the sanction of the Central Government under Section 188 of the Cr.P.C. for the trial of Dattatreya S. Parchure at Delhi. The Court, in the circumstances, certainly has territorial jurisdiction to try Dattatreya S. Parchure in regard to the offence said to have been committed by him at Gwalior. The Court, of course, before giving any findings in regard to him would have to see whether he is, in fact a British subject domiciled in 'India'.

It has been contended on behalf of Dattatreya S. Parchure that he could not be tried along with the other accused in the same trial. It has already been held above that the offence of conspiracy, the various offences of abetment by conspiracy in pursuance thereof and the offence of murder in pursuance thereof formed part of one and the same transaction. Dattatreya S. Parchure, in the circumstances, could certainly have been tried along with the other accused in the same trial.

The Court was then adjourned till 2.00 p.m. on 24 June 1948.

(The above is taken from the book Gandhi Murder Trial*, published for the first time in March 1949 for Tagore Memorial Publications, New Delhi by Dewan Ram Prakash.)*

APPENDIX IV

THE APPROVER, BADGE'S STATEMENT

'I run a business selling weapons and explosives in Poona, the name of my shop is 'Shastra Bhandar'. I came in contact with the office bearers of the Hindu Mahasabha in 1940. I have been participating in Hindu Mahasabha Conventions since then. I used to sell books and weapons during these Conventions. I have heard Shri Damodar Vinayak Savarkar's lectures. I met Savarkar in 1944-45. I know Savarkar's body guard Appa Kasar. I had sold some Jambhiya, daggers through Kasar.

'I know Godse and Apte since 1940-41. I was in touch with Savarkar's secretary Damle. I have known Karkare since the past 2 to 3 years. I know a person called Wadhgaonkar, too.

'Once in 1944 I had participated in a meeting of the Hindu Rashtra Dal in Poona, Savarkar had delivered a lecture at that meeting. In the course of his lecture, Savarkar had said that Congress' policies endangered Hindus. He also urged that Hindus should enforce an economic boycott of the Muslims. If the Muslims showed any angst we should retaliate with ferocity. To gain expertise in the use of weapons and to hone our fighting skills, Hindus should join the armed forces in large numbers.

'During 1947 I used to visit the Hindu Mahasabha's office in Dadar, Bombay at least twice a month. When ever I visited Bombay I would make it a point to visit the office of the Mahasabha. I remember that a meeting was held at Savarkar's residence. There were approximately 20 to 25 people apart from me. A group photograph of all those assembled was taken. I was also in the group photograph.

Question - 'Did you ever give Apte any weapons?'

Answer - 'Yes, I had supplied weapons to Apte on many occasions.'

The court noted the question and answer in the same form it had been asked and answered, since the Defence had objected to it claiming that the prosecution had asked a leading question.

Speaking on, Badge said, 'Apte first came to purchase weapons and explosives from me in July-August, 1947. Karkare had accompanied Apte at that time. Apte had come to my shop in Poona to purchase weapons,

ammunition and explosives. He told me that 'some very distinguished persons want to buy weapons, ammunition and explosives from you. At this time though, get me a Sten Gun'. I procured a Sten Gun for Apte and Karkare from Gurdayal Singh. The gun was handed over to Apte behind the Yervada Prison. Apte paid me Rs. 1200 for it. From July, August till December 1947, I had sold weapons, ammunition and explosives worth Rs. 3000 to Apte and Karkare.

'One day I was going on a pilgrimage with my family to the *Bhor Rajya*, State, we were travelling by a bullock cart. At a village called Yervandane, I came across Apte who was riding a motorbike. He asked me, 'I want the 'stuff'' ('Stuff' was the code word we used for weapons, ammunition and explosives). I assured him that I would supply it on my return. Eight or ten days later I returned to Poona, after completing the pilgrimage. Within a day or two I gathered the 'stuff' Apte had ordered. After gathering all the 'stuff' I went to the office of Hindu Rashtra Dal and informed Apte that his 'stuff' was ready. Apte told me that as soon as the members of the Hindu Rashtra Dal returned he would come and collect all the 'stuff' he had ordered. Apte came to my shop in the last week of December and asked me if I still had the 'stuff' I had arranged for him? He said that he would send Karkare to pick up the 'stuff' in a couple of days.

'Apte then came to my shop on 9th January at around 6.30 p.m. he told me to keep the 'stuff' ready, Karkare would come with a few persons and inspect the stuff in a few hours. That evening at about 8.30 p.m. Karkare accompanied by three others came to my shop. The other three were Madanlal, Omprakash and Chopra. I had not seen Madanlal before this. Karkare did the introductions.

'Then Karkare asked me 'Brother, show us the 'Stuff' that you are holding for Apte'. I asked my servant Shankar to fetch the 'stuff'. Madanlal inspected the 'stuff' and said that he knew how to use it. The 'stuff' comprised pieces of gun cotton, hand grenades, bullets, pistols, primers and fuses. These people inspected all the 'stuff' and then left. Apte came to the Shastra Bhandar at 10.00 a.m. on 10th January and asked me to accompany him to the office of the Hindu Rashtra Dal. Nathuram Godse was present at the Office when wereached it. Apte asked me to supply 2 slabs of gun cotton, 2 revolvers and 5 hand grenades. At that time I was standing with Apte just outside the Hindu Rashtra Dal Office. Godse was standing inside the office.

'I told Apte that I did not have any revolvers in stock at: that time, but I could supply the rest of the 'stuff' right away. Apte asked me to supply the two slabs of gun cotton and five hand grenades immediately. He told me that he wanted the 'stuff' delivered in Bombay. He assured me that he would pay for the additional transport to Bombay.

'I told Apte that I would be able to deliver the 'stuff' in Bombay only after I sold off my ancestral home in Chalisgaon. Apte agreed to wait. After finalising all this, Apte called Godse out, and informed him about the deal and said, *'Aapla ek kaam par padla','*One of our tasks is complete'."

'Godse and Apte told me that I should deliver the 'stuff' at the Hindu Mahasabha's Dadar Office in Bombay by 14th January. On 12th I sold my ancestral home in Chalisgaon and returned to Poona the next day. I ordered my servant Shankar to take all the 'stuff' to Bombay and deliver it to Godse and Apte on the evening of 14th. I packed two gun cotton slabs, fuses and primers for them and five hand grenades in a khakhi bag and handed them over to Shankar.

On 14th January I left for Bombay with Shankar. On reaching Bombay we went directly to the Hindu Mahasabha Office at Dadar, neither Apte nor Godse were present there at that time. When I inquired as to when they would come, I was informed that they were expected to arrive very soon. We waited for half an hour. Since they had not arrived till then, we came down to have some tea and refreshments. As we were climbing down the stairs I saw Apte climbing up, as soon as he saw me, Apte said, 'good that you have arrived. We must find a place to safely store the 'stuff,' come with me'. I took the bag from Shankar and asking him to wait. I joined Apte. We had hardly climbed down four or five steps when we bumped into Godse who was climbing up".

"We walked from the Hindu Mahasabha Office and reached the residence of Savarkar, who lives at Shivaji Park. Apte took the bag from me and asked me to wait outside. He entered the Savarkar home accompanied by Godse. They came out after five to ten minutes; Apte was holding the bag containing the 'stuff'. The three of us went back to the Hindu Mahasabha Office. I called out to Shankar and asked him to join us. Apte hired a car and all four of us drove to Bhuleshwar, to the home of Dixit Maharaj. I had known Dixit Maharaj since 1940- 41. All four of us entered his home. It was 10.30 p.m., Dixit Maharaj was sleeping. We left Shankar in the entry foyer and went in to the house. We saw a servant of Dixit

Maharaj and handed over the bag and asked him to keep it safely. We told him we would collect it in the morning. The servant agreed to do that.

'We came back to the Dadar Office of Hindu Mahasabha. Shankar and I were dropped off there. Apte gave some money to Godse, Godse gave me Rs.50 out of it for the travel and board. They promised to meet me the next morning and told us to sleep in the premises of the Hindu Mahasabha.

'I met Madanlal at the Hindu Mahasabha Office. I asked him *'Karkare kahan hai?'* 'Where is Karkare?' Madanlal replied that Karkare had gone to Thana, he would return in a day or two.

'The next day, on 15th January, around 8.30 a.m. Apte and Godse arrived at the Mahasabha Office. At that time Madanlal, Shankar and I were present along with two or three office workers. Apte asked us to accompany him. We followed Apte. Madanlal had not bathed and dressed till then so he remained behind. Shankar and I accompanied Apte and Godse to the office of the Shivaji Printing Press. We met Karkare just outside the office. Apte asked Shankar to wait outside; the rest of us entered the office. We were to meet the proprietor of the press, Joshi. I was asked to sit in the outer office; Karkare, Apte and Godse went into the inner office with Joshi. They came out after nearly one hour. After taking leave of Joshi, all of us returned to the Hindu Mahasabha Office.

'On reaching the Office, Karkare ordered Madanlal to pick up their baggage and accompany him. We all stepped out. Leaving Shankar behind, all of us sat in the taxi hired by Apte and drove to the home of Dixit Maharaj. Madanlal waited in the entry foyer along with the baggage. The rest of us went in. We met Dixit Maharaj there; we had gone to pick up the bag containing the 'Stuff' which we had left there the previous evening.

'I requested Dixit Maharaj to ask his servant to fetch the bag. He could not get it immediately but it was brought out after an hour. I opened the bag and showed all the 'stuff' to Apte. Then I repacked the bag and handed it over to Apte. Apte handed over the bag to Karkare. Apte told him that he should leave for Delhi by the Frontier or Punjab Mail along with Madanlal. Karkare gave the bag to Madanlal and asked him to pack it inside the bedding. Then Karkare and Madanlal left, Dixit Maharaj's residence.

'Finish off Gandhi, Nehru and Suhrawardy!'

The rest off us sat down in Dixit Maharaj's room and started talking with him. Apte told him that we were going to Delhi on a very important mission, and asked Dixit Maharaj to give us one or two revolvers. Dixit Maharaj said that he did not have any revolvers, he had a small pistol in his possession, but he refused to give it to Apte. Apte asked Dixit Maharaj to at least ensure that he got us one revolver. Dixit Maharaj agreed to try to get one for us. We then came out of Dixit Maharaj's home and stood in the courtyard. Apte asked me if I would to accompany them to Delhi? I asked him 'Why should I come?' Apte told me that Savarkar had decided that Gandhiji, Pandit Jawaharlal Nehru and Hasan Shaheed Suhrawardy were to be finished off, he had entrusted this task to Apte and Godse. He said that if I agreed to go with them they would bear my travel and boarding costs.

'I informed Apte that I could not go directly from Bombay to Delhi, I had to complete some domestic tasks first and so would have to go to Poona, after that I would leave for Delhi. Godse said that he too needed to go to Poona to inquire if his brother Gopal had managed to get one revolver as promised. Gopal Godse was to also come to Bombay and then accompany us to Delhi. Then we got into the taxi and came to the Cotton Exchange Building at Pydhonie. Godse and Apte went into the Building and came back after twenty to twenty- five minutes. I got out of the car. Apte told me that I should meet them at the Boribunder, Victoria Terminus Station on the morning of 17th January. I went to the Hindu Mahasabha Office at Dadar.

'That evening I met Madanlal in front of the Hindu Mahasabha Office. He told me that they had missed their train and could not leave for Delhi as planned. Karkare was waiting at the Station. Madanlal would join him after finishing some personal work. He said that they would now leave for Delhi by the night train.

'I left for Poona by the night train on 15th January, along with Kistayya. We reached Poona after midnight on the next day. I know a person named Deshmukh who lives in Poona. I met him on 16th January at Poona. I wanted to give some goods to him, which he would then sell to the territorial Congress people in the Nizam's territories. I wanted to sell off my entire stock that day since I had to leave to join Apte and his group and proceed with them to Delhi. While returning from the home of Kharat, I met N.V. Godse at the office of Hindu Rashtra, I had gone past the Hindu Rashtra office when Godse hailed me twice and called me back. Godse

wanted to confirm that I would accompany them to Delhi, I assured him thatI would.

'Later Godse brought a small pistol to me and asked me to exchange it for a bigger revolver. I went to the home of a worker of the Hyderabad State Congress, Sharma. I had recently sold a 32-guage revolver to him. I convinced Sharma to exchange the revolver for the pistol, he agreed and handed over the revolver with four live rounds.

'That night Shankar and I caught a train for Bombay at 2.40 a.m., we reached Bombay early in the morning of 17th, I asked Shankar to get off at Dadar and wait for me at the Hindu Mahasabha Office, I proceeded to Victoria Terminus to keep my rendezvous with Narayan Apte and Nathuram Godse. I met them just outside the platform. Apte suggested that we should collect some money before leaving for Delhi. Apte hailed a taxi and we left for Government Gate Road at Lalbaug where the Bombay Dyeing Works were situated, we met the owner Charandas Meghji Mathuradas there. I introduced Apte and Godse to him.

Blessings of Savarkar

'From there we came to the Hindu Mahasabha Office at Dadar and picked up Kistayya. When all of us got into the cab, Godse suggested that we should seek the final blessings of Savarkar. So we proceeded to Savarkar Sadan. We asked Shankar to wait in the taxi and the three of us entered Savarkar's home. Apte asked me to wait in a room on the ground floor; he and Godse went up to the first floor. They returned in five to ten minutes followed by Savarkar. He addressed Godse and told him, *'Yashasvi houn yaa.'* 'Return after being successful.' Then we proceeded towards Ruia College in the same taxi. On the way Apte said, *'Tatyarao ni ase bhavishya kele ahe ki ata Gandhi chi shambhar varshe bharli. Ata kahi sanvshay nahi ki apla kaam yashasvi honaar." Tatyarao,* Savarkar, has predicted that now Gandhi's hundred years are over. There is no doubt that our work will be successful.'

(Apte had said this in Marathi,'*Gandhi chi Shambhar Varshe Bharli'*. The prosecution ensured that the Court got the Marathi words written down in the Roman script. Oak, Godse's counsel wrote the sentence, closely supervised by Chief Prosecutor Daftary.)

'Then we went to Afzalpurkar's home and stayed there for about fifteen to twenty minutes. I wanted to talk to him about a bullet proof vest I was developing. I introduced Godse and Apte to him. We discussed the situation in Hyderabad state. Afzalpurkar gave us a hundred rupees. After accepting Rupees hundred from Afzalpurkar we went to the home of Kale by taxi. We took Patankar along with usto show us the way to Kale's home. Godse, Apte, Patnakar and I wen tinto Kale's home. We asked Shankar to remain in the taxi. Patankar introduced Godse and Apte to Kale and then left. Then Godse and Apte began to talk to Kale in English which I could not make heads or tails of. After about five or ten minutes of conversation, Kale went up the stairs, and came down with a wad of money, he handed it over to Godse. There were ten to fifteen Hundred Rupee notes in the wad.

'All of us then went back to the Bombay Dyeing Works. The younger brother of the owner was in the office. Shankar and I got out of the taxi and waited there, Godse and Apte left somewhere in the taxi. After one and a half hours, Apte returned in the same taxi, he was alone, Godse had taken another taxi and gone somewhere else lo complete some work. The owner of Bombay Dyeing Works had also returned by the time Apte arrived. Apte talked to him in English for almost fifteen minutes. All of us then got into the taxi and came to Dixit Maharaj's home. Leaving Shankar in the taxi, Apte and I entered the house. Apte wanted to collect a revolver from Dixit Maharaj. Dixit Maharaj showed him a small pistol. Apte approved the pistol, Dixit Maharaj refused to hand over the pistol till payment was made. Apte reminded him that his elder brother Dada Maharaj had promised to provide a pistol, 'you must give me atleast this pistol'. But Dixit Maharaj refused to give the pistol and finally we left empty handed from there.

'We first went to the Juhu Air Port by mistake and then rushed from there to the Santa Cruz Air Port. Apte gave me Rs.350/- and asked me to leave that very night for Delhi by train with Shankar Kistayya. Then Kistayya and I carried on in the same taxi to Kurla to meet Patwardhan. He was not there at that time. I decided to stay there, and so I paid the taxi driver Rs. 55 and paise 50 and took a receipt from him before sending him off. We stayed there till 9.30 p.m., Patwardhan gave me Rs. 400.'

'On 18th January, Shankar and I went back to Dixit Maharaj's home in the morning. We did not get any funds or weapons from him. We stayed there till the mid afternoon. We reached Victoria Terminus Station by 2.30

p.m. and got into an Inter Class compartment of the Punjab Mail, and left for Delhi.'

Arrival in Delhi, Preparations for the Murder

'We reached Delhi on the evening of 19th January at 9.30 pm. We got into a tonga and reached the Hindu Mahasabha Bhavan. We found Madanlal sitting in the hall there with another person. Madanlal introduced him to us, he was Nathuram Godse's younger brother, Gopal Godse. A little later Apte, Karkare and Godse also arrived. They asked me, Shankar, Gopal and Madanlal to sleep in the hall that night and promising to come back the next morning, then they left.

"On the morning of 20th January, Apte and Karkare came to the Hindu Mahasabha Bhavan at 8.30 a.m., they gave Madanlal some money to buy fuel and then left. Apte returned after half an hour and asked Shankar and me to accompany him to Birla House. We went to Birla House by a car and halted it at the main gate. When Apte and I got out of the car and tried to enter the sentry stopped us. Apte told him that we wished to meet Gandhiji's secretary. The sentry asked us to write our names and the reason we wished to meet on a chit and give it to him. Apte scribbled something on the chit and handed it to the sentry. As the sentry went in with the chit, a person wearing a black suit stepped out of the gate. Apte gestured towards the person and whispered to me - 'That's Suhrawardy, he sits next to Gandhiji during the prayers'.

'Just then the sentry returned and Apte and I entered the compound of Birla House. We proceeded towards the lawns at the rear of the house where the prayer meetings were held. Apte pointed to a place and said that Gandhiji and Suhrawardy would be sitting here. Apte showed me a ventilator or window; it was covered by a trelliswork grill. Apte measured the apertures of the grill and said that one could fire a revolver through this and also throw a hand grens.de. "As far as possible we should ensure that both Gandhiji and Suhrawardy will be finished in the initial attack itself. If we can not get both of them, we must ensure that at least one is killed".

'Then we went to the other side of the platform. Apte pointed at two places, one place was right in front near the wall and the other was on the left. He said, "We will explode a gun cotton slab at both the spots, so that people's attention will be diverted towards the blasts, then in the confusion

we will kill Gandhiji without being noticed". Apte told me that there was a room behind the ventilator, "you can enter it posing as a photographer". Once inside I could fire from behind the grill and also throw a grenade through the aperture. We did not enter the room but we went right around and saw the lay of the place from all around.'

"On 20th January we returned to Hindu Mahasabha Bhavan at 11.30 a.m. after casing the entire Birla House compound and the prayer ground thoroughly. Apte left me at the Mahasabha and went somewhere, he returned after twenty to twenty-five minutes. Apte then told Gopal Godse that we must go into the forest behind the Mahasabha Bhavan and test the guns. Gopal Godse and I had carried one revolver each with us to Delhi. Then Apte, Gopal, Shankar and I went into the jungles at the rear of the Mahasabha Bhavan. Gopal carried a .38 bore revolver; Shankar was carrying the other which was either a .32 or .22 bore.

'When we reached a spot deep inside the jungle and tried out the revolvers, we realised that the revolver brought by Gopal was totally jammed and in an absolutely inoperable condition. Apte then inspected the revolver carried by Shankar. He loaded four bullets in its chambers and asked Shankar to fire it. Shankar was asked to fire at a tree from ten paces. There was something wrong the bullet did not even reach the tree. It fell to the ground, a few feet short. Apte rejected that revolver too. Gopal decided to clean and repair his revolver, right there. He asked Shankar to go and fetch a knife and a bottle of oil from his bag lying at the Mahasabha Bhavan. Soon Shankar returned with the things Gopal had asked for. While Gopal was repairing his revolver three Forest Guards came up to us. One of them asked us - 'What are you doing here?' Before the guards could reach us we hid the revolvers under a bed sheet we had spread on the ground. Gopal answered their questions and then chatted with them in Punjabi, soon the three guards left.

'Apte said that it wasn't safe to remain there any longer, and so we returned to the Mahasabha Bhavan. We found Karkare and Madanlal sitting in the hall. Apte told Karkare to proceed to the Marina Hotel and to take Madanlal along with him; he told Karkare that we would also reach the Marina Hotel within a short while. Madanlal had left the bedding back at the Hindu Mahasabha Bhavan. A little while after those two had left, Apte asked Gopal and all of us to also proceed towards the Marina Hotel. 'Gopal you carry the bag containing the 'stuff' with you'. Gopal picked up the bag

and all of us came to Marina Hotel. We found Nathuram Godse lying on a cot in a room on the third floor of the hotel. Gopal placed the bag in the room. Shankar and I came down again and had lunch.

'When we returned after lunch we saw that Gopal was still repairing his gun. After entering the room we bolted the doors from the inside. Apte, Karkare, Madanlal and I went into the bathroom, Nathuram Godse and Shankar stood near the bathroom door. The four of us started preparing the gun cotton slabs, we fixed detonators, primer and fuse wire to the slabs of gun cotton and transformed them into ready to explode, deadly bombs. At that time, addressing me, Nathuram Godse said - *'Badge, ha amcha shevat cha prayatna ahe, he kam aaj zalech pahije, sagla vyavasthit foda'*, 'Badge, this is our last attempt, the work must get done today. Ensure that everything is properly connected.' Here it must be noted that Nathuram could be using the *'Amcha*' 'Our', either in its plural meaning or as a singular in the regal manner. Many high caste Maharashtrians had the habit of referring to themselves, using the pompous 'we', instead of the humble 'I'.)

Weapons Distributed - Code Names Given -Disguises Adopted

Badge continued, 'By the time we finished preparing the gun cotton bomb and primed the hand grenades and came back into the room, Gopal had repaired and cleaned his revolver. Apte said, "Now we must decide who will carry which weapon and explosive. Ok, Madanlal and Shankar the two of you carry a gun cotton bomb and a hand grenade each. Nathuram, Gopal and Karkare will carry one hand grenade each and Badge and I will carry a revolver each". I told them that only one gun cotton slab was enough to create a panic amongst the people, "It is too much to expect one person to explode two gun cotton bombs at two locations and remain unnoticed. Give one gun cotton bomb and one hand grenade to Madanlal. Shankar and I will carry one hand grenade and one revolver each. The rest of you carry one hand grenade each". Nathuram and Apte would signal all the others and synchronise our actions. Apte gave the final instructions. "Madanlal you explode a gun cotton bomb on the rear wall as close to the podium as possible. Badge as soon as the bomb goes off enter the rear room of the servant's quarter posing as a photographer and fire on Gandhiji from behind and also throw a grenade at him through the apertures in the ventilator grill.

I will signal Madanlal and Nathuram will keep signalling me. The rest will mingle with the audience at the prayer meeting".'

'Apte then gave all of us our code names. Nathuram Godse - Deshpande, Karkare - Vyas, Apte - Karmarkar, Badge - Bandopant and Shankar - Tukaram. I don't remember the code names given to Gopal and Madanlal. Apte also said that we should adopt suitable disguises. Nathuram decided to wear khaki clothes similar to a military uniform; Apte wore a blue suite; Karkare wore a Jawahar shirt (long shirt), dhoti and a Gandhi topi; Madanlal dressed like an Englishman in a coat, shirt and trousers; Gopal wore a shirt, shorts and a jacket; I wore a dhoti and a Jawahar coat; Shankar wore a coat, *kameez* (shirt), dhoti and a topi; Karkare shaved off his moustache and darkened his thin sideburns with an eye pencil. He applied a bright vermilion tilak on his forehead.

'Then Apte handed over a gun cotton bomb and a hand grenade to Karkare asking him to give it to Madanlal. He gave me and Shankar a hand grenade and a revolver each. Then Madanlal and Karkare left for the Birla House. Fifteen minutes later Apte, Shankar, Gopal and I got into a taxi and headed for Birla House. Nathuram had promised that he would leave after twenty minutes and meet us at Birla House. From Marina Hotel we first went to the Hindu Mahasabha Bhavan.

22 July 1948: Continuing his testimony, Badge described the events as they had happened on the fateful 20th January after Madanlal lit the fuse and exploded the gun cotton bomb at the Birla House prayer ground.

'I had taken my revolver and hand grenade hidden in a hand bag. After leaving the Marina Hotel we first went to the Hindu Mahasabha Bhavan and then to the Birla House. We drove directly to the rear and asking the driver to park the car in the roundabout behind the servant's quarters, we got out of the car. We must have hardly covered a distance of a few paces when we met Madanlal. Apte asked Madanlal - *'Tayar ho kya?'* 'Are you ready?' Madanlal replied - *'Han, taiyaar hun.'* 'Yes, I am ready. I have placed the gun cotton bomb on the wall, now I only have to light the fuse.' At that moment I saw Karkare walk into the rear courtyard and talk to someone behind the area where the platform was located in the prayer ground. It was the same place which Apte had shown to me in the morning.

Badge Develops Cold Feet, Murder Attempt Fails

'Karkare came up to us and told Apte "You are too late, the prayers have already started. Gandhiji has already taken his seat. I have made

arrangements for one person to enter the room under the pretext of taking his photograph from behind." Apte asked me to pose as a photographer and get into the room with my hand bag". (Karkare's comment that they were late and the prayers had already started points to the possibility that the bomb explosion was to have been carried out as soon as the recitation from the Koran started, thus creating a feeling that this was part of the ongoing protest against the recital of Koran, and while the confusion lasted Gandhiji could easily be murdered. This would allow those who were not seen to be directly involved in either the blast or the murder to escape unnoticed, in this case Apte, Karkare, and the two Godse brothers).

'I saw two or three people seated in front of the room. I immediately realised that after the murder it would be impossible for me to escape out of the room, I developed cold feet. Nathuram told me - *'Daru naka, apan sarva ithun surakshit pane baher padu shaku ashi vyavastha amhi keli ahe',* 'Don't be afraid. We have made arrangements so that all of us can safely escape from here'. Nathuram, Apte and Karkare then began forcing me to enter the room and carry out my part of the act. I told them that instead of going into the room and firing on Gandhiji from the back, I would prefer to get close to him from the front and fire on him to make sure he is killed. I was able to convince Apte and Godse about the feasibility of my plan, (It was bound to get their approval. Now Badge would be seen shooting at Gandhiji and caught as his killer, Madanlal would be seen as the bomber and may or may not be caught, thus the brainwashed refugee and the mercenary would take the fall for the main conspirators, who would escape unnoticed.) I signalled Shankar to follow me and both of us went to where the taxi was parked. The rest of the gang remained in the backyard.

'I took both mine and Shankar's revolvers and hand grenades and wrapped them in a towel and put them inside the handbag I was carrying. I placed the handbag under the backseat of the taxi. I warned Shankar not to do anything till I gave the signal. Then I returned to the others. I had put my hands in the side pockets of my upper garment so that they thought I was carrying my revolver and hand grenade in my shirt pocket. I told Godse and Apte that I was ready. Apte asked me once again - *'Bandobhau, taiyar ahaat na?' "Bandopant,* are you ready?' I said *'hoy',* 'Yes' and proceeded to take my position amongst the front rows of the audience in the prayer ground, Shankar was also with me.

'I saw Apte going up to Madanlal and placing his hand on Madanlal's back and tell him - *'Chalo'*, 'come'. I saw Madanlal proceeding towards the spot where he had placed the gun cotton bomb on the wall. Shankar and I went to the *Prarthana Sabha.* Karkare was behind us. I saw that immediately in front of Gandhiji twenty to thirty women and children were sitting. I took up a position approximately fifteen steps towards the right of Gandhiji. Shankar and Karkare took up positions, a few steps to my right. Two or three minutes later we heard a loud explosion. I saw smoke emanating from the direction of the blast. Four or five men rushed towards the blast site. Gandhiji calmed the audience with folded arms. After a few minutes I saw that Madanlal had been caught. The audience had remained calmly seated. I also saw that after catching Madanlal they took him to the police camp outside the main gate of Birla House. Then I saw four or five men come out of the tent, they looked like policemen, I saw them rushing towards me. I was scared, I feared that they were bringing Madanlal to point out his accomplices. I turned and hid my face from them. After a few moments when I again glanced in the direction of the policemen, I saw that the people were moving out of the prayer grounds. I signalled Shankar to come with me; we mingled with the crowd of people and began moving towards the gate.

After coming out of Birla House, we got into a tonga and reached the Hindu Mahasabha Bhavan. I did not see Nathuram Godse, Apte or Gopal at the prayer grounds. I ordered Shankar to immediately go into the forest behind the Mahasabha Bhavan and dispose off the hand grenades there. As soon as Shankar left, I started packing my bedding and other luggage to make good our escape from Delhi. Apte and the Godse brothers reached the Mahasabha Bhavan just then. Apte asked me - *'Bandobhau, kay zala?'* 'Bandobhau, what happened?' I was mad at them, I had seen through their plan of leaving me holding the smoking gun and getting away scot-free. I lost my temper and shouted at them. I told them to get lost and not bother to contact me ever in the future.

'By then Shankar had returned, I told him to pick up our luggage. We came out of the Mahasabha Bhavan and took a tonga to the New Delhi Station. I bought two third class tickets for Bombay. I saw some police constables patrolling the station. I panicked. We walked out, took another tonga and went to the Old Delhi Station. There we boarded the train that left for Bombay at 9.30 or 10.00 p.m., we reached Kalyan Station at 11.30 a.m.

on 22nd January. We caught a train for Poona from Kalyan and reached Poona at 7.30 p.m. on the same day.

'I was arrested from my residence in Poona on 31 January 1948 early in the morning at approximately 5.00 or 5.30 a.m.'

Badge identified the explosives and bombs recovered from the forest behind the Hindu Mahasabha Bhavan and the hand grenade recovered from Madanlal, in court.

On being asked as to where he had procured the hand grenades and explosives from, Badge replied, 'I get them from the armoury at Kirkee, I buy them from the employees working (there). But I don't know who makes these.' Badge also informed the court that the office of Hindu Rashtra in Poona was housed in a temporary shed. Godse and Apte had erected a camp office for themselves just outside the Hindu Rashtra Press. The periodical was previously named *Dainik Agranee* and then it was rechristened *Hindu Rashtra.*

Question - 'Why did you assume false identities?'

Badge - 'Karkare suggested that we may require calling out to one another during the operation. If we were to use our real names, we could be identified and arrested, and so he suggested that we should assume false names.' Badge went on to inform the court that Apte was a dedicated volunteer of the Hindu Mahasabha and Godse was one of its important leaders. He used to take me to all the annual conventions of the Mahasabha. I used to collect funds for the Mahasabha and enrol members. I agreed to accompany them from Bombay to Delhi due to several reasons. One was that I had known Godse and Apte for a long time. Second, we were all members of one organisation, the Hindu Mahasabha. The third reason was that I felt obligated to them since Godse and Apte used to give me financial help from time to time to run my weapons business. I believed that *Tatyarao,* Savarkar, had ordered us and we had to obey his command at any cost. So I agreed to come with them to Delhi. Ever since I have come in touch with Godse and Apte, I have always obeyed their commands.'

APPENDIX V

INSCRIPTION ON THE MURDER WEAPON

On the Barrel
P. Beretta? C.L.9 Coroto-M°? 1934 Brevettato
Gardone VT. 1937-XV

On the Hilt
The Monogram PB
Sr. No. 606824

APPENDIX VI

THE ESTABLISHMENTS ASSOCIATED WITH MAHATMA GANDHI'S MURDER

Delhi:

Birla House was acquired, after paying the market value, by the Government of India from the Birla family in the late Sixties and converted into Gandhi Smriti. K.K. Birla sold it to the government after extensive negotiations in 1966. The Government of India paid Rs.5.4 million and also gave seven acres of prime land in Delhi as compensation. It was due to the efforts and pressure put by Shashi Bhushan, Krishna Kant, who later became the vice-president of India, Mohan Dharia and Chandrashekhar who for a brief period was the prime minister, that the Birla House was finally acquired. Eventually, Shashi Bhushan sat on a dharna to hasten the process of acquiring it. K.K. Birla drove a hard bargain. According to one version, while deciding the sale price of the family mansion, he even calculated the value of the fruit bearing trees and all the saplings that had been planted to the price tag. Thus it was a generously profitable deal by any consideration. Unfortunately, in recent years a misconception has gained currency that the Birlas magnanimously donated their family home, so that it could be converted into a monument to Mahatma Gandhi. This is not so.

Many changes have been made to Birla House; successive caretakers have recklessly added structures in recent times to this historic monument in their quest for personal glory. Instead of preserving history they have successfully obliterated it. Gandhi Smriti today is distinctly different from the way it was when Gandhi livedout his last days there from September 1947 till 30 January 1948.Visitors today do not get a feel of the historic significance of Birla House. All signs of the events that took place in this place during the month of January 1948 and especially on 20th and 30th January havebeen erased.

On a visit to Memphis, I went to see the motel where Reverend Dr. Martin Luther King was murdered. The motel has been preserved exactly the way it was at the time of Dr. King's murder. Even the cars in its parking

lot are replicas of the ones that were parked there on that fateful day. Albuquerque Road is now Tees January Marg. The servant's quarters, at the rear are still there and so is the round about behind the erstwhile Birla House, where them urderers had parked the taxi which brought them to Birla House on the evening of 20 January 1948. The taxi is today owned by avintage car enthusiast in Lucknow. It is wrongly called the 'killercar'. Various Gandhi museums have on several occasions appealed to the owner to present the car to them, but their appeals have gone unheeded.

Hindu Mahasabha Bhavan, I think has been enlarged and expanded; I have not tried to find out its current status.

Marina Hotel on Connaught Circus now houses some offices.

I have no idea about the fate of the Frontier Hotel and the Sharif Hotel. They might have been turned into offices or shops or made way for development.

The **Regal Cinema** still stands on a rapidly changing Connaught Circus. How long it will remain, only God knows.

The **Waiting Rooms** at the **Old Delhi Railway Station** may still exist. I don't think the **Old Delhi Station** has been drastically renovated. The murderers Godse, Apte and Karkare stayed in the 1st Class Waiting Room on the night of the 29th and left to murder Gandhi from the 2nd Class Waiting Room in the afternoon of 30 January 1948.

I have no idea if the structure housing the **Special Court**, and the barracks, which were converted in to a specially notified prison to hold the accused during the Gandhi murder trial, in the historic precincts of the Red Fort, survive. Fortunately, the Red Fort does.

Raj Ghat has changed many a times and now does not resemble the humble cremation ground of a simple man.

Poona, now known as Pune

495 Shanvar Peth where the **Hindu Rashtra Press** and the office of **Agrani** was located were attacked by a violent mob in the wake of Gandhi's murder. The press and office were vandalised and burned down. I am not sure if the Godse or Apte family ever reclaimed it.

In the early seventies, I visited Gopal Godse's home with my parents and grandmother. I think it still survives. Gopal built a shrine and has placed what he claims were the ashes of his brother Nathuram Godse in it. On

Nathuram's death anniversary a band of admirers gathers to worship the murderer, whom they consider a martyr.

Badge's Shastra Bhandar at 300 Narayan Peth has disappeared. It was attacked and looted in the aftermath of Gandhi's murder.

Narayan Apte's family home **Anandashram** was situated at 22 Budhwar Peth. I have no idea whether it exists. If it does, does it belong to the Aptes? I have not tried to find out.

Uksan

One does not know if Godse's descendants still own their ancestral property in Uksan. Gopal Godse had buried his military issue revolver in the compound of his ancestral home. He retrieved it and carried it with him to Delhi in time for the murder attempt on 20 January 1948. Gopal Godse was arrested from Uksan, where he had taken refuge to avoid the fury of the mob hell bent on lynching him after the murder.

Ahmednagar, which is now popularly called Nagar

Vishnu Karkare's **Deccan Guest House** still stands in the **Pardeshi Aali** in **Kapda Bazaar** area of Ahmednagar.

Sholapur:

After his acquittal Shankar Kistayya disappeared into obscurity. His last known address was Yelamma Peth, Sholapur.

Gwalior:

Dr. Sadashiv Parchure lived in his joint family home, **Parchure Vada** on the **Station Road in Gwalior**. In the seventies or eighties, the late Madhur Valluri interviewed a terminally ill Parchure at the Parchure Vada. Parchure was acquitted because of a clever lawyer and a lackadaisical prosecution by the high court. Parchure lived here till his end denying his involvement in the Gandhi murder conspiracy. Most probably Parchure Vada still exists and is owned by Parchure's descendants.

Sea Green South and **Sea Green North Hotels** still exist. They are still hotels bearing the same names and are situated on the scenic Marine Drive.

Pyrke's Apollo Hotel on the junction of Landsdowne Road and Colaba Causeway a stone's throw away from Regal Cinema is still there.

Arya Patheekashram situated in the area adjoining **Sandhurst Bridge**, is listed in the BMC's Guide to Bombay of 1962, as situated on Vallabhbhai Patel Road. It has since disappeared.

Elphinstonee Hotel on Gunbow Street off Hornby Road, which are now named Rustam Sidhwa Marg and Dadabhai Naoroji Road respectively, was also listed in the BMC Guide to Bombay 1962. I got its number from MTNL Directory Inquiries. When I called the number, I was told that I had reached the Residency Hotel, they had no idea about any Elphinstonee Hotel. Its sister concern the **Elphinstonee Annexe Hotel** on Carnac Road has also disappeared.

Hindu Mahasabha office is located in Parel above the Damodar Hall. It was referred to in the court records, as being in Dadar but in those days there was not much difference between Dadar and Parel. The Hindu Mahasabha office in Parel is situated on the first floor. In the court's records it is mentioned that the accused Apte and approver Badge met each other on the staircase leading to the Hindu Mahasabha Office, so it must be this one. In the investigation reports the police claim to have put the Parel office of Hindu Mahasabha under surveillance after the failed attempt on 20th January, but by then the conspirators had flown the coop.

Mota Mandir in Bhuleshwar still survives. It was recently in the news because of a dispute between its trustees and some shopkeepers and warehouse owners who are tenants. I don't know if descendants of Dada Maharaj and Dixit Maharaj still live there.

Savarkar Sadan was built by VD. Savarkar in 1938. It is situated a building away from Balmohan Vidyamandir in the lane now named Dr. Madhukar B. Raut Marg. This is the first left turn while going towards Shivaji Park from Shiv Sena Bhavan. V.D. Savarkar's son lives there. He now owns only l/3rd of his father's home; the other two thirds are owned by two other families, one of them my acquaintance. While looking for an office for Mahatma Gandhi Foundation, this acquaintance offered to let me

temporarily use a ground floor room as an office. It would have led to an ironic address, Mahatma Gandhi Foundation at Savarkar Sadan.

It is sad that although Savarkar is venerated by many, none of his worshippers ever thought of preserving his home.

The **CID Headquarters** from where Nagarvala ran his investigation and where all the accused, accept Parchure, were held in custody, stands in the Police Headquarters Campus opposite Crawford Market which is now named Mahatma Jyotiba Fule Market. It is said that after the Gandhi murder trial, Badge, the approver, was allotted a tenement in the campus, where he lived till his death.

The **Presidency Magistrate's Court** still functions from the same building. It was in this court that many statements of witnesses were recorded and identification parades carried out. The Presidency Magistrate's Court is popularly called Qilla Court.

Madanlal Pahwa, after his release settled in Bombay. It is believed that he lived somewhere in Dadar. There are no records of where he lived, or if he left behind any progeny.

On 17th January and 27 January 1948, Apte and Godse boarded the Air India flight to Delhi from the Airport gate near the Military Camp in Kalina. In those days, passengers boarded flights from here. For many years the area was called 'Old Airport'.

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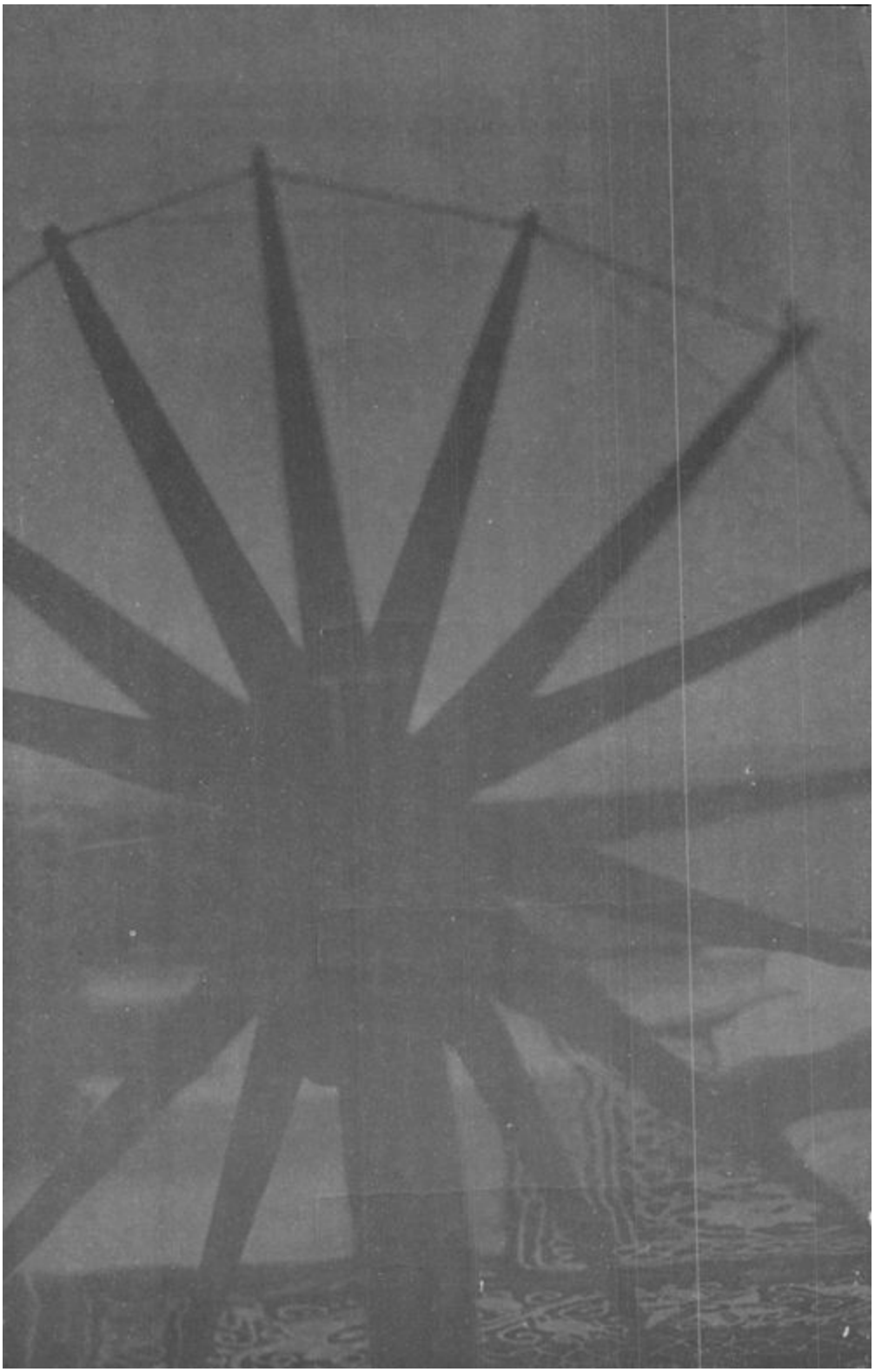
Tilak, Bal Gangadhar,
Times of India

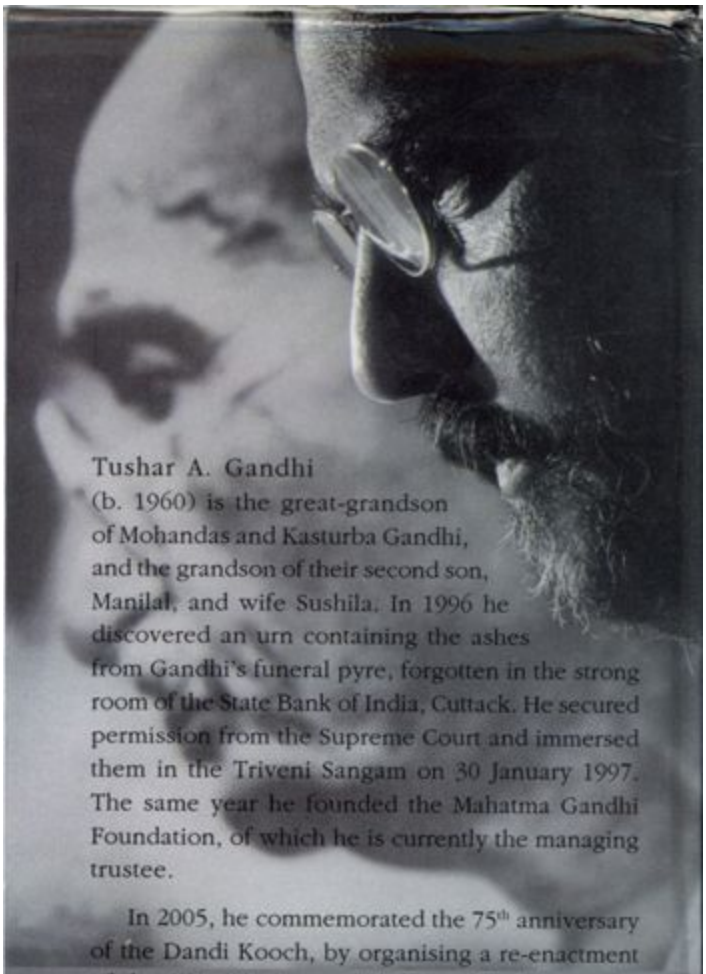
Uksan,
United Nations Security Council
Uttmanzai

Viceregal Palace
Victoria Terminus
Vile Parle Station
Vinayakrav, N.

Wavell, Lord
West Punjab

Whitehall
Wylie, Sir Curzon





Tushar A. Gandhi (b. 1960) is the great-grandson of Mohandas and Kasturba Gandhi, and the grandson of their second son, Manilal, and wife Sushila. In 1996 he discovered an urn containing the ashes from Gandhi's funeral pyre, forgotten in the strong room of the State Bank of India, Cuttack. He secured permission from the Supreme Court and immersed them in the Triveni Sangam on 30 January 1997. The same year he founded the Mahatma Gandhi Foundation, of which he is currently the managing trustee.

In 2005, he commemorated the 75th anniversary of the Dandi Kooch, by organising a re-enactment of the 241-mile long walk. He walked the entire stretch and was instrumental in getting the prime minister to declare the route from Sabarmati Ashram to Dandi a historic heritage route.

Tushar currently lives in Mumbai with his wife Sonal and children Vivan and Kasturi.

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